

KING COUNTY

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Signature Report

March 3, 2006

Ordinance

Proposed No. 2006-0113.1

1 AN ORDINANCE relating to zoning; amending Ordinance
2 14047, Section 10, and K.C.C. 20.18.180, Ordinance 12196,
3 Section 9, as amended, and K.C.C. 20.20.020, Ordinance
4 12196, Section 11, as amended, and K.C.C. 20.20.040,
5 Ordinance 15245, Section 1, and K.C.C. 21A.06.162,
6 Ordinance 10870, Section 330, and K.C.C. 21A.08.030,
7 Ordinance 10870, Section 331, as amended, and K.C.C.
8 21A.08.040, Ordinance 10870, Section 332, as amended, and
9 K.C.C. 21A.08.050, Ordinance 10870, Section 333, as
10 amended, and K.C.C. 21A.08.060, Ordinance 10870, Section
11 334, as amended, and K.C.C. 21A.08.070, Ordinance 10870,
12 Section 354, as amended, and K.C.C. 21A.12.170, Ordinance
13 10870, Section 364, as amended, and K.C.C. 21A.14.040,
14 Ordinance 10870, Section 378, as amended, and K.C.C.
15 21A.14.180, Ordinance 10870, Section 536, as amended, and
16 K.C.C. 21A.30.080, Ordinance 10870, Section 537, and
17 K.C.C. 21A.30.090, Ordinance 13130, Section 4, and K.C.C.

21A.32.055, Ordinance 13130, Section 5, and K.C.C.
21A.32.065, Ordinance 13274, Section 5, as amended, and
K.C.C. 21A.37.030, Ordinance 10870, Section 579, as
amended, and K.C.C. 21A.38.060, Ordinance 12823, Section
16, and K.C.C. 21A.38.210, Ordinance 12823, Section 19,
and K.C.C. 21A.38.240, Ordinance 10870, Section 583, as
amended, and K.C.C. 21A.39.020, Ordinance 10870, Section
584, as amended, and K.C.C. 21A.39.030, Ordinance 13130,
Section 11, and K.C.C. 21A.42.190 and Ordinance 13275,
Section 1, as amended, and K.C.C. 21A.55.050 and adding
new sections to K.C.C. chapter 21A.06.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Ordinance 14047, Section 10, and K.C.C. 20.18.180 are each hereby
amended to read as follows:

**The four to one program – criteria for amending the urban growth area to
achieve open space.** Rural area land may be added to the urban growth area in accordance
with the following criteria:

A. A proposal to add land to the urban growth area under this program shall meet
the following criteria:

1. A permanent dedication to the King County open space system of four acres of
open space is required for every one acre of land added to the urban growth area;

41 2. The land shall not be zoned agriculture (A);

42 3. The land added to the urban growth area shall be physically contiguous to
43 urban growth area as adopted in 1994 and not in an area where a contiguous band of public
44 open space, parks or watersheds already exists along the urban growth area boundary;

45 4. The land added to the urban growth area shall be able to be served by sewers
46 and other urban services;

47 5. A road serving the land added to the urban area shall not be counted as part of
48 the required open space;

49 6. All urban facilities shall be located in the urban area except as permitted in
50 subsection E₂ of this section;

51 7. Open space areas shall retain a rural designation;

52 8. The minimum depth of the open space buffer shall be one half of the property
53 width, shall generally parallel the urban growth area boundary and shall be configured in
54 such a way as to connect with open space on adjacent properties;

55 9. The minimum size of the property to be considered is twenty acres. Smaller
56 parcels may be combined to meet the twenty-acre minimum; and

57 10. Urban development under this section shall be limited to residential
58 development and shall be at a minimum density of four dwelling units per acre;

59 B. A proposal that adds two hundred acres or more to the urban growth area shall
60 also meet the following criteria:

61 1. The proposal shall include a mix of housing types including thirty percent
62 below-market-rate units affordable to low, moderate and median income households;

63 2. In a proposal in which the thirty-percent requirement in subsection B.1 of this
64 section is exceeded, the required open space dedication shall be reduced to three and one-
65 half acres of open space for every one acre added to the urban growth area;

66 C. A proposal that adds less than two hundred acres to the urban growth area and
67 that meets the affordable housing criteria in subsection B.1_ of this section shall be subject
68 to a reduced open space dedication requirement of three and one-half acres of open space
69 for every one acre added to the urban growth area;

70 D. Requests for redesignation shall be evaluated to determine those that are the
71 highest quality, including, but not limited to, consideration of the following:

72 1. Preservation of fish and wildlife habitat, including wildlife habitat networks,
73 and habitat for endangered and threatened species;

74 2. Provision of regional open space connections;

75 3. Protection of wetlands, stream corridors, ground water and water bodies;

76 4. Preservation of unique natural, biological, cultural, historical or archeological
77 resources;

78 5. The size of open space dedication and connection to other open space
79 dedications along the urban growth area boundary; and

80 6. The ability to provide extensions of urban services to the redesignated urban
81 areas; and

82 E. The open space acquired through this program shall be preserved primarily as
83 natural areas, passive recreation sites or resource lands for farming and forestry. The
84 following additional uses may be allowed only if located on a small portion of the open

space and provided that these uses are found to be compatible with the site's natural open space values and functions:

1. Trails;
2. Natural appearing stormwater facilities;
3. Compensatory mitigation of wetland losses on the urban designated portion of the project, consistent with the King County Comprehensive Plan and ~~((the sensitive areas ordinance))~~ K.C.C. chapter 21A.24; and
4. Active recreation uses not to exceed five percent of the total open space area.

The support services and facilities for the active recreation uses may locate within the active recreation area only, and shall not exceed five percent of the total acreage of the active recreation area. The entire open space area, including any active recreation site, is a regional resource. It shall not be used to satisfy the on-site active recreation space requirements in K.C.C. 21A.14.180 for the urban portion of the four to one property.

SECTION 2. Ordinance 12196, Section 9, as amended, and K.C.C. 20.20.020 are each hereby amended to read as follows:

Classifications of land use decision processes.

A. Land use permit decisions are classified into four types, based on who makes the decision, whether public notice is required, whether a public hearing is required before a decision is made and whether administrative appeals are provided. The types of land use decisions are listed in subsection E. of this section.

1. Type 1 decisions are made by the director, or his or her designee, ("director") of the department of development and environmental services ("department"). Type 1 decisions are nonappealable administrative decisions.

2. Type 2 decisions are made by the director. Type 2 decisions are discretionary decisions that are subject to administrative appeal.

3. Type 3 decisions are quasi-judicial decisions made by the hearing examiner following an open record hearing. Type 3 decisions may be appealed to the county council, based on the record established by the hearing examiner.

4. Type 4 decisions are quasi-judicial decisions made by the council based on the record established by the hearing examiner.

B. Except as provided in K.C.C. 20.44.120A.7. and 25.32.080 or unless otherwise agreed to by the applicant, all Type 2,3 and 4 decisions included in consolidated permit applications that would require more than one type of land use decision process may be processed and decided together, including any administrative appeals, using the highest-numbered land use decision type applicable to the project application.

C. Certain development proposals are subject to additional procedural requirements beyond the standard procedures established in this chapter.

D. Land use permits that are categorically exempt from review under SEPA do not require a threshold determination (determination of nonsignificance ["DNS"] or determination of significance ["DS"]). For all other projects, the SEPA review procedures in K.C.C. chapter 20.44 are supplemental to the procedures in this chapter.

E. Land use decision types are classified as follow:

TYPE 1	(Decision by director, no administrative appeal)	Temporary use permit for a homeless encampment under K.C.C. 21A.45.010, 21A.45.020, 21A.45.030, 21A.45.040, 24A.45.050, 21A.45.060, 21A.45.070, 21A.45.080 and 21A.45.090; building permit, site
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		development permit, or clearing and grading permit that is not subject to SEPA, that is categorically exempt from SEPA as provided in K.C.C. 20.20.040, or for which the department has issued a determination of nonsignificance or mitigated determination of nonsignificance; boundary line adjustment; right of way; variance from K.C.C. chapter 9.04; shoreline exemption; approval of a conversion-option harvest plan; a binding site plan for a condominium that is based on a recorded final planned unit development, a building permit, an as-built site plan for developed sites, a site development permit for the entire site.
TYPE 2 ¹	(Decision by director appealable to hearing examiner, no further administrative appeal)	Short plat; short plat revision; short plat alteration; zoning variance; conditional use permit; temporary use permit under K.C.C. chapter 21A.32; temporary use permit for a homeless encampment under K.C.C. 21A.45.100; shoreline substantial development permit ² ; building permit, site development permit or clearing and grading permit for which the department has issued a determination of significance; reuse of public schools; reasonable use exceptions under K.C.C. 21A.24.070.B; preliminary determinations under K.C.C. 20.20.030.B; ((sensitive areas)) <u>alteration</u> exceptions and decisions to

		require studies or to approve, condition or deny a development proposal based on K.C.C. chapter 21A.24; extractive operations under K.C.C. 21A.22.050; binding site plan; waivers from the moratorium provisions of K.C.C. 16.82.140 based upon a finding of special circumstances.
TYPE 3 ¹	(Recommendation by director, hearing and decision by hearing examiner, appealable to county council on the record)	Preliminary plat; plat alterations; preliminary plat revisions.
TYPE 4 ^{1, 3}	(Recommendation by director, hearing and recommendation by hearing examiner decision by county council on the record)	Zone reclassifications; shoreline environment redesignation; urban planned development; special use; amendment or deletion of P suffix conditions; plat vacations; short plat vacations; deletion of special district overlay.

¹ See K.C.C. 20.44.120.C. for provisions governing procedural and substantive SEPA appeals and appeals of Type 3 and 4 decisions to the council.

² When an application for a shoreline permit is combined with other permits requiring Type 3 or 4 land use decisions under K.C.C. 25.32.080, the examiner, not the director,

131 makes the decision. A shoreline permit, including a shoreline variance or conditional
132 use, is appealable to the state Shorelines Hearings Board and not to the hearing examiner.

133 ³ Approvals that are consistent with the Comprehensive Plan may be considered by the
134 council at any time. Zone reclassifications that are not consistent with the
135 Comprehensive Plan require a site-specific land use map amendment and the council's
136 hearing and consideration shall be scheduled with the amendment to the Comprehensive
137 Plan under K.C.C. 20.18.040 and 20.18.060.

138 F. The definitions in K.C.C. 21A.45.020 apply to this section.

139 SECTION 3. Ordinance 12196, Section 11, as amended, and K.C.C. 20.20.040
140 are each hereby amended to read as follows:

141 **Application requirements.**

142 A. The department shall not commence review of any application (~~((set forth))~~) as
143 provided in this chapter until the applicant has submitted the materials and fees specified
144 for complete applications. Applications for land use permits requiring Type 1, 2, 3 or 4
145 decisions shall be considered complete as of the date of submittal upon determination by
146 the department that the materials submitted meet the requirements of this section. Except
147 as provided in K.C.C. 20.20.040.B, all land use permit applications described in K.C.C.
148 20.20.020 Exhibit A shall include the following:

149 1. An application form provided by the department and completed by the
150 applicant that allows the applicant to file a single application form for all land use permits
151 requested by the applicant for the development proposal at the time the application is
152 filed;

153 2. Designation of who the applicant is, except that this designation shall not be
154 required as part of a complete application for purposes of this section when a public
155 agency or public or private utility is applying for a permit for property on which the
156 agency or utility does not own an easement or right-of-way and the following three
157 requirements are met:

158 a. the name of the agency or private or public utility is shown on the
159 application as the applicant;

160 b. the agency or private or public utility includes in the complete application
161 an affidavit declaring that notice of the pending application has been given to all owners
162 of property to which the application applies, on a form provided by the department; and

163 c. the form designating who the applicant is submitted to the department before
164 permit approval;

165 3.a. A certificate of sewer availability or site design approval for an on-site
166 sewage system by the Seattle-King County department of public health, as required by
167 the King County board of health code title 13: or

168 b. for public schools and public schools facilities located in rural areas, a finding
169 by King County that no cost-effective alternative technologies are feasible, a certificate
170 of sewer availability, and a letter from the sewer utility indicating compliance with the
171 tightline sewer provisions in the zoning code, as required by K.C.C. chapter 13.24;

172 4. If the development proposal requires a source of potable water, a current
173 certificate of water availability consistent with K.C.C. chapter 13.24 or documentation of
174 an approved well by the Seattle-King County department of public health;

- 175 5. A fire district receipt pursuant to K.C.C. Title 17, if required by K.C.C.
176 chapter 21A.40;
- 177 6. A site plan, prepared in a form prescribed by the director;
- 178 7. Proof that the lot or lots to be developed are recognized as a lot under (~~this~~
179 ~~title~~) K.C.C. Title 19A;
- 180 8. A (~~sensitive~~) critical areas affidavit, if required by K.C.C. chapter 21A.24;
- 181 9. A completed environmental checklist, if required by K.C.C. chapter 20.44;
- 182 10. Payment of any development permit review fees, excluding impact fees
183 collectible pursuant to K.C.C. Title 27;
- 184 11. A list of any permits or decisions applicable to the development proposal
185 that have been obtained before filing the application or that are pending before the county
186 or any other governmental entity;
- 187 12. Certificate of transportation concurrency from the department of
188 transportation if required by K.C.C. chapter 14.70. The certificate of transportation
189 concurrency may be for less than the total number of lots proposed by a preliminary plat
190 application only if:
- 191 a. at least seventy-five percent of the lots proposed have a certificate of
192 transportation concurrency at the time of application for the preliminary plat;
- 193 b. a certificate of transportation concurrency is provided for any remaining lots
194 proposed for the preliminary plat application before the expiration of the preliminary plat
195 and final recording of the additional lots; and
- 196 c. the applicant signs a statement that the applicant assumes the risk that the
197 remaining lots proposed might not be granted.

198 13. Certificate of future connection from the appropriate purveyor for lots
199 located within the urban growth area that are proposed to be served by on-site or
200 community sewage system and group B water systems or private well, if required by
201 K.C.C. 13.24.136 through 13.24.140;

202 14. A determination if drainage review applies to the project pursuant to K.C.C.
203 chapter 9.04 and, if applicable, all drainage plans and documentation required by the
204 Surface Water Design Manual adopted pursuant to K.C.C. chapter 9.04;

205 15. Current assessor's maps and a list of tax parcels to which public notice must
206 be given as provided in this chapter, for land use permits requiring a Type 2, 3 or 4
207 decision;

208 16. Legal description of the site;

209 17. Variances obtained or required under K.C.C. Title 21A to the extent known
210 at the date of application; and

211 18. For site development permits only, a phasing plan and a time schedule, if the
212 site is intended to be developed in phases or if all building permits will not be submitted
213 within three years.

214 B. A permit application is complete for purposes of this section when it meets the
215 procedural submission requirements of the department and is sufficient for continued
216 processing even though additional information may be required or project modifications
217 may be undertaken subsequently. The determination of completeness shall not preclude
218 the department from requesting additional information or studies either at the time of
219 notice of completeness or subsequently if new or additional information is required or
220 substantial changes in the proposed action occur, as determined by the department.

221 C. Additional complete application requirements for the following land use
222 permits are ((set forth)) in the following sections of the King County Code:

- 223 1. Clearing and grading permits, K.C.C. 16.82.060.
224 2. Construction permits, K.C.C. 16.04.052.
225 3. Mobile home permits, K.C.C. 16.04.093.
226 4. Subdivision applications, short subdivision applications and binding site plan
227 applications, K.C.C. 19A.08.150.

228 D. The director may specify the requirements of the site plan required to be
229 submitted for various permits and may waive any of the specific submittal requirements
230 listed herein that are determined to be unnecessary for review of an application.

231 E. The applicant shall attest by written oath to the accuracy of all information
232 submitted for an application.

233 F. Applications shall be accompanied by the payment of the applicable filing
234 fees, if any, as established by K.C.C. Title 27.

235 SECTION 4. Ordinance 15245, Section 1, and K.C.C. 21A.06.162 are each
236 hereby amended to read as follows:

237 **Camps, recreational and retreat.** Camps, recreational and retreat:
238 Establishments primarily engaged in operating recreational and retreat camps that offer a
239 variety of active recreational activities such as trail riding, hiking, hunting, water-related
240 activities such as swimming, kayaking, canoeing, rafting and fishing, and other similar
241 outdoor activities, as well as, more passive activities based on the enjoyment of the
242 natural setting. Recreational and retreat camps may provide overnight accommodation
243 facilities, such as cabins and designated campsites, and other amenities for site users,

such as meeting and assembly spaces, food services, recreational facilities and equipment and medical/health stations. Recreational and retreat camps do not include establishments that have as a primary purpose the treatment of addictions, correctional or disciplinary training, or housing for homeless persons.

NEW SECTION. SECTION 5. A new section is hereby added to K.C.C. chapter 21A.06 to read as follows:

Clustering. Clustering: development of a subdivision at the existing zoned density that reduces the size of individual lots and creates natural open space for the preservation of critical areas, parks and permanent open space or as a reserve for future development.

NEW SECTION. SECTION 6. A new section is hereby added to K.C.C. chapter 21A.06 to read as follows:

Recreation, active. Recreation, active: structured individual or team activity that requires the use of special facilities, courses, fields or equipment. Active recreation requires a significant level of development, use and programming. Active recreation includes, but is not limited to, organized sporting events, such as baseball, football, soccer, golf, hockey, tennis and skateboarding, and to large-scale group picnics, gatherings and social events.

NEW SECTION. SECTION 7. A new section is hereby added to K.C.C. chapter 21A.06 to read as follows:

Recreation, passive. Recreation, passive: recreational activities that do not require prepared facilities like sports fields or pavilions. Passive recreational activities place minimal stress on a site's resources and are highly compatible with natural resource

protection. Passive recreation include, but is not limited to, camping, hiking, wildlife viewing, observing and photographing nature, picnicking, walking, bird watching, historic and archaeological exploration, swimming, bicycling, running/jogging, climbing, horseback riding and fishing.

NEW SECTION. SECTION 8. A new section is hereby added to K.C.C. chapter 21A.06 to read as follows:

Recreation facilities, passive. Recreation facilities, passive: facilities to support passive recreation that do not involve significant levels of infrastructure or development, including, but not limited to, open fields, trails, children's play equipment and picnic sites for a small number of people.

SECTION 9. Ordinance 10870, Section 330, as amended, and K.C.C. 21A.08.030 are each hereby amended to read as follows:

21A.08.030 Residential land uses.

A. Residential land uses.

KEY		Z O N E	RESOURCE			RESIDENTIAL				COMMERCIAL/INDUSTRIAL							
P-Permitted Use	A		F	M	R	U	R	U	R	N	B	C	B	R	B	O	I
C-Conditional Use	G		O	I	U	R	E	R	E	E	U	O	U	E	U	F	N
S-Special Use	R		R	N	R	B	S	B	S	I	S	M	S	G	S	F	D
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SIC #	SPECIFIC LAND USE	A	F	M	RA	UR	R1-8	R12-48		NB	CB	RB		O	I		
	DWELLING UNITS, TYPES:																
*	Single Detached	P C13	P2		P C13	P C13	P C13	P C13		P17							
*	Townhouse				C4	C4	P C12	P		P3	P3	P3		P3			
*	Apartment				C4	C4	P5 C4	P		P3	P3	P3		P3			
*	Mobile Home Park				S14		C8	P									
*	Cottage Housing						C16										
	GROUP RESIDENCES:																

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*	Community Residential Facility-I				C	C	P15 C	P	P3	P3	P3	P3
*	Community Residential Facility-II							P	P3	P3	P3	P3
*	Dormitory				C6	C6	C6	P				
*	Senior Citizen Assisted Housing					P4	P4	P	P3	P3	P3	P3
	ACCESSORY USES:											
*	Residential Accessory Uses	P7	P7		P7	P7	P7	P7	P7	P7	P7	P7
*	Home Occupation	P	P		P	P	P	P	P	P	P	P
*	Home Industry	C			C	C	C					
	TEMPORARY LODGING:											
7011	Hotel/Motel (1)								P	P	P	
*	Bed and Breakfast Guesthouse	P9 C10			P10	P10	P10	P10	P10	P11	P11	
7041	Organization Hotel/Lodging Houses									P		
GENERAL CROSS REFERENCES: Land Use Table Instructions, see K.C.C. 21A.08.020 and 21A.02.070; Development Standards, see K.C.C. chapters 21A.12 through 21A.30; General Provisions, see K.C.C. chapters 21A.32 through 21A.38; Application and Review Procedures, see K.C.C. chapters 21A.40 through 21A.44; (*)Definition of this specific land use, see K.C.C. chapter 21A.06.												

B. Development conditions.

1. Except bed and breakfast guesthouses.

2. In the forest production district, the following conditions apply:

a. Site disturbance associated with development of any new residence shall be limited to three acres. Site disturbance shall mean all land alterations including, but not limited to, grading, utility installation, landscaping, clearing for crops, on-site sewage disposal systems and driveways. Additional site disturbance for raising livestock, up to the smaller of thirty-five percent of the lot or seven acres, may be approved only if a farm management (conservation) plan is prepared in accordance with K.C.C. chapter 21A.30. Animal densities shall be based on the area devoted to animal care and not the total area of the lot;

b. A forest management plan shall be required for any new residence in the forest production district, ~~((which))~~ that shall be reviewed and approved by the King County department of natural resources and parks prior to building permit issuance; and

295 c. A fire protection plan for the subject property is required and shall be
296 reviewed and approved by the Washington state department of natural resources with the
297 concurrence of the fire marshal for each residential use. This plan shall be developed in
298 such a manner as to protect the adjoining forestry uses from a fire that might originate
299 from the residential use. This plan shall provide for setbacks from existing forestry uses
300 and maintenance of approved fire trails or other effective fire line buffers on perimeters
301 with forest land.

302 3. Only as part of a mixed use development subject to the conditions of K.C.C.
303 chapter 21A.14, except that in the NB zone on properties with a land use designation of
304 commercial outside of center (CO) in the urban areas, stand-alone townhouse
305 developments are permitted subject to K.C.C. 21A.12.040, 21A.14.030, 21A.14.060 and
306 21A.14.180.

307 4.a. Only in a building listed on the National Register as an historic site or
308 designated as a King County landmark subject to the provisions of K.C.C. 21A.32.

309 b. In the R-1 zone, apartment units are permitted, provided that:

310 (1) The proposal shall be subject to a conditional use permit when exceeding
311 base density,

312 (2) At least fifty percent of the site is constrained by unbuildable ((sensitive))
313 critical areas. For purposes of this section, unbuildable ((sensitive)) critical areas shall
314 include wetlands, streams and slopes forty percent or steeper and associated buffers; and

315 (3) The density does not exceed a density of eighteen units per acre of net
316 buildable area as defined in K.C.C. 21A.06.797; or

317 c. In the R-4 through R-8 zones, apartment units are permitted, provided that
318 the proposal shall be subject to a conditional use permit when exceeding base density,
319 and provided that the density does not exceed a density of eighteen units per acre of net
320 buildable area as defined in K.C.C. 21A.06.797.

321 5. Apartment units are permitted outright as follows:

322 a. In the R-1 zone when at least fifty percent of the site is constrained by
323 unbuildable ((sensitive)) critical areas ((which)) that for purposes of this section, includes
324 wetlands, streams and slopes forty percent or steeper and associated buffers, and provided
325 that the density does not exceed a density of eighteen units per acre of net buildable area
326 as defined in K.C.C. 21A.06.797; or

327 b. In the R-4 through R-8 zones, provided that the density does not exceed
328 eighteen units per acre of net buildable area as defined in K.C.C. 21A.06.797.

329 6. Only as an accessory to a school, college, university or church.

330 7.a. Accessory dwelling units:

331 (1) Only one accessory dwelling per primary single detached dwelling unit;

332 (2) Only in the same building as the primary dwelling unit on an urban lot
333 that is less than ten thousand square feet in area, on a rural lot that is less than the
334 minimum lot size, or on a lot containing more than one primary dwelling;

335 (3) The primary dwelling unit or the accessory dwelling unit shall be owner
336 occupied;

337 (4)(a) One of the dwelling units shall not exceed a floor area of one thousand
338 square feet except when one of the dwelling units is wholly contained within a basement
339 or attic, and

(b) When the primary and accessory dwelling units are located in the same building, only one entrance may be located on each street side of the building;

(5) One additional off-street parking space shall be provided;

(6) The accessory dwelling unit shall be converted to another permitted use or shall be removed if one of the dwelling units ceases to be owner occupied; and

(7) An applicant seeking to build an accessory dwelling unit shall file a notice approved by the department of executive services, records, elections and licensing services division, ~~((which))~~ that identifies the dwelling unit as accessory. The notice shall run with the land. The applicant shall submit proof that the notice was filed before the department shall approve any permit for the construction of the accessory dwelling unit. The required contents and form of the notice shall be set forth in administrative rules. If an accessory dwelling unit in a detached building in the rural zone is subsequently converted to a primary unit on a separate lot, neither the original lot ~~((or))~~ nor the new lot may have an additional detached accessory dwelling unit constructed unless the lot is at least twice the minimum lot area required in the zone.

(8) Accessory dwelling units and accessory living quarters are not allowed in the F zone.

(9) In the A zone, one accessory dwelling unit is allowed on any lot under twenty acres in size, and two accessory dwelling units are allowed on lots that are twenty acres or more, provided that the accessory dwelling units are occupied only by farm workers and the units are constructed in conformance with the State Building Code.

b. One single or twin engine, noncommercial aircraft shall be permitted only on lots that abut, or have a legal access that is not a county right-of-way, to a waterbody or landing field, provided there is:

(1) no aircraft sales, service, repair, charter or rental; and

(2) no storage of aviation fuel except that contained in the tank or tanks of the aircraft.

c. Buildings for residential accessory uses in the RA and A zone shall not exceed five thousand square feet of gross floor area, except for buildings related to agriculture or forestry.

8. Mobile home parks shall not be permitted in the R-1 zones.

9. Only as an accessory to the permanent residence of the operator, and:

a. Serving meals to paying guests shall be limited to breakfast; and

b. There shall be no more than five guests per night.

10. Only as an accessory to the permanent residence of the operator, and:

a. Serving meals to paying guests shall be limited to breakfast; and

b. The number of persons accommodated per night shall not exceed five, except that a structure that satisfies the standards of the Uniform Building Code as adopted by King County for R-1 occupancies may accommodate up to ten persons per night.

11. Only if part of a mixed use development, and subject to the conditions of K.C.C. 21A.08.030B.10.

12. Townhouses are permitted, but shall be subject to a conditional use permit if exceeding base density.

384 13. Required before approving more than one dwelling on individual lots,
385 except on lots in subdivisions, short subdivisions or binding site plans approved for
386 multiple unit lots, and except as provided for accessory dwelling units in K.C.C.
387 21A.08.030B.7.

388 14. No new mobile home parks are allowed in a rural zone.

389 15. Limited to domestic violence shelter facilities.

390 16. Only in the R4-R8 zones limited to:

- 391 a. developments no larger than one acre;
- 392 b. not adjacent to another cottage housing development such that the total
393 combined land area of the cottage housing developments exceeds one acre; and
- 394 c. All units must be cottage housing units with no less than three units and no
395 more than sixteen units, provided that if the site contains an existing home that is not
396 being demolished, the existing house is not required to comply with the height limitation
397 in subsection B.25. of this section or the floor area and footprint limits in K.C.C.
398 21A.14.025.B.

399 17. The development for a detached single-family residence shall be consistent
400 with the following:

- 401 a. The lot must have legally existed prior to March 1, 2005;
- 402 b. The lot has a comprehensive plan land use designation of Rural
403 Neighborhood or Rural Residential; and
- 404 c. The standards of this title for the RA-5 zone shall apply.

405 SECTION 10. Ordinance 10870, Section 331, as amended, and K.C.C.
406 21A.08.040 are each hereby amended to read as follows:

407 **Recreational/cultural land uses.**

408 **A. Recreational/cultural land uses.**

KEY		RESOURCE			RESIDENTIAL				COMMERCIAL/INDUSTRIAL								
P-Permitted Use	Z O N E	A	F	M	R	U	R	U	R	N	B	C	B	R	B	O	I
C-Conditional Use		G	O	I	U	R	E	R	E	E	U	O	U	E	U	F	N
S-Special Use		R	R	N	R	B	S	B	S	I	S	M	S	G	S	I	D
		I	E	N	A	A	E	A	I	G	I	M	I	I	I	I	U
		C	S	E	L	N	R	N	D	H	N	U	N	O	N	E	T
		U	T	R			V		E	B	E	N	E	N	E		R
		L		A			E		N	O	S	I	S	A	S	I	A
		T		L					T	R	S			L			L
		U							I	H							
		R							A	O							
		E							L	D							
SIC #	SPECIFIC LAND USE	A	F	M	RA	UR	R1-8	R12-48	NB	CB	RB	O	I				
PARK/RECREATION:																	
*	Park	P1	P1	P1	P1	P1	P1	P1	P	P	P	P	P13				
	Large Active Recreation and Multiuse Park		P1	P1	P1	P1	P1	P1	P	P	P	P	P13				
*	Trails	P	P	P	P	P	P	P	P	P	P	P	P				
*	Campgrounds		P16 C16 a	P16	P16 C16 a	P16 C16 a							P16 C16 a				
*	Destination Resorts		S		S18	C					C						
*	Marina		C 3		C4	C4	C4	C4	P5	P	P	P	P				
*	Recreational Vehicle Park		P19	P19	C2 (G)) and d1 8 P1 9	C2 P19											
*	Sports Club (17)				C4, 18	C4	C4	C4	C	P	P						
*	Ski Area		S		S18												
*	Recreational Camp		C		P24 C												
AMUSEMENT/ENTERTAINMENT:																	
*	Adult Entertainment Business									P6	P6	P6					
*	Theater									P	P	P	P25				
7833	Theater, Drive-in										C						
793	Bowling Center									P	P		P				
*	Golf Facility				C7 (G)) and d 18	P7	P7	P7									

Ordinance

7999 (14)	Amusement and Recreation Services		P21	P21	P8 (5)) P2 1, C1 5((5)) an d 18	P8 (5)) P2 1((5)) P2 2 C1 5	P8((5) P2 1(() P2 2 C1 5	P8, 21((5) P2 2 C1 5	P2 1((5)) P2 2	P	P	P21	P21
*	Shooting Range		C9		C9 (5)) an d 18						C10		P10
*	Amusement Arcades									P	P		
7996	Amusement Park										C		
*	Outdoor Performance Center		S		C12 S18		P20	P20			S		
CULTURAL:													
823	Library				P11	P11 C	P11 C	P11 C	P	P	P	P	
841	Museum	C2 3	C23		P11	P11 C	P11 C	P11 C	P	P	P	P	P
842	Arboretum	P	P		P	P	P	P	P	P	P	P	
*	Conference Center				P11 C12	P11 C12	P11 C	P11 C	P		P	P	
GENERAL CROSS REFERENCES: Land Use Table Instructions, see K.C.C. 21A.08.020 and 21A.02.070; Development Standards see K.C.C. chapters 21A.12 through 21A.30; General Provisions, see K.C.C. chapters 21A.32 through 21A.38; Application and Review Procedures, see K.C.C. chapters 21A.40 through 21A.44; (*)Definition of this specific Land Use, see K.C.C. chapter 21A.06.													

- 409 B. Development conditions.
- 410 1. The following conditions and limitations shall apply, where appropriate:
- 411 a. No stadiums on sites less than ten acres;
- 412 b. Lighting for structures and fields shall be directed away from residential
- 413 areas;
- 414 c. Structures or service yards shall maintain a minimum distance of fifty feet
- 415 from property lines adjoining residential zones, except for structures in on-site recreation
- 416 areas required in K.C.C. 21A.14.180 and 21A.14.190. Setback requirements for

417 structures in these on-site required recreation areas shall be maintained in accordance
418 with K.C.C. 21A.12.030;

419 d. Facilities in the A zone shall be limited to trails and trailheads, including
420 related accessory uses such as parking and sanitary facilities; and

421 e. Overnight camping is allowed only in an approved campground.

422 2. Recreational vehicle parks are subject to the following conditions and
423 limitations:

424 a. The maximum length of stay of any vehicle shall not exceed one hundred
425 eighty days during a three-hundred-sixty-five-day period;

426 b. The minimum distance between recreational vehicle pads shall be no less
427 than ten feet; and

428 c. Sewage shall be disposed in a system approved by the Seattle-King County
429 health department.

430 3. Limited to day moorage. The marina shall not create a need for off-site
431 public services beyond those already available before the date of application.

432 4. Not permitted in the RA-10 or RA-20 zones. Limited to recreation facilities
433 subject to the following conditions and limitations:

434 a. The bulk and scale shall be compatible with residential or rural character of
435 the area;

436 b. For sports clubs, the gross floor area shall not exceed ten thousand square
437 feet unless the building is on the same site or adjacent to a site where a public facility is
438 located or unless the building is a nonprofit facility located in the urban area; and

439 c. Use is limited to residents of a specified residential development or to sports
440 clubs providing supervised instructional or athletic programs.

441 5. Limited to day moorage.

442 6.a. Adult entertainment businesses shall be prohibited within three hundred
443 thirty feet of any property zoned RA, UR or R or containing schools, licensed daycare
444 centers, public parks or trails, community centers, public libraries or churches. In
445 addition, adult entertainment businesses shall not be located closer than three thousand
446 feet to any other adult entertainment business. These distances shall be measured from
447 the property line of the parcel or parcels proposed to contain the adult entertainment
448 business to the property line of the parcels zoned RA, UR or R or that contain the uses
449 identified in this subsection B.6.a.

450 b. Adult entertainment businesses shall not be permitted within an area likely
451 to be annexed to a city subject to an executed interlocal agreement between King County
452 and a city declaring that the city will provide opportunities for the location of adult
453 businesses to serve the area. The areas include those identified in the maps attached to
454 Ordinance 13546.

455 7. Clubhouses, maintenance buildings, equipment storage areas and driving
456 range tees shall be at least fifty feet from residential property lines. Lighting for practice
457 greens and driving range ball impact areas shall be directed away from adjoining
458 residential zones. Applications shall comply with adopted best management practices for
459 golf course development. Within the RA zone, those facilities shall be permitted only in
460 the RA-5 and RA-2.5 zones. Not permitted in designated rural forest focus area,
461 regionally significant resource areas or locally significant resource areas. Ancillary

462 facilities associated with a golf course are limited to practice putting greens, maintenance
463 buildings and other structures housing administrative offices or activities that provide
464 convenience services to players. These convenience services are limited to a pro shop,
465 food services and dressing facilities and shall occupy a total of no more than ten thousand
466 square feet. Furthermore, the residential density that is otherwise permitted by the zone
467 shall not be used on other portions of the site through clustering or on other sites through
468 the transfer of density provision. This residential density clustering or transfer limitation
469 shall be reflected in a deed restriction that is recorded at the time applicable permits for
470 the development of the golf course are issued.

471 8. Limited to a golf driving range only as:

- 472 a. an accessory to golf courses; or
- 473 b. an accessory to a large active recreation and multiuse park.

474 9.a. New structures and outdoor ranges shall maintain a minimum distance of
475 fifty feet from property lines adjoining residential zones, but existing facilities shall be
476 exempt.

477 b. Ranges shall be designed to prevent stray or ricocheting projectiles, pellets
478 or arrows from leaving the property.

479 c. Site plans shall include: safety features of the range; provisions for reducing
480 sound produced on the firing line; elevations of the range showing target area, backdrops
481 or butts; and approximate locations of buildings on adjoining properties.

482 d. Subject to the licensing provisions of K.C.C. Title 6.

483 10.a. Only in an enclosed building, and subject to the licensing provisions of
484 K.C.C. Title 6;

485 b. Indoor ranges shall be designed and operated so as to provide a healthful
486 environment for users and operators by:

487 (1) installing ventilation systems that provide sufficient clean air in the user's
488 breathing zone, and

489 (2) adopting appropriate procedures and policies that monitor and control
490 exposure time to airborne lead for individual users.

491 11. Only as accessory to a park or in a building listed on the National Register
492 as an historic site or designated as a King County landmark subject to K.C.C. chapter
493 21A.32.

494 12. Only as accessory to a nonresidential use established through a discretionary
495 permit process, if the scale is limited to ensure compatibility with surrounding
496 neighborhoods. This condition applies to the UR zone only if the property is located
497 within a designated unincorporated rural town.

498 13. Subject to the following:

499 a. The park shall abut an existing park on one or more sides, intervening roads
500 notwithstanding;

501 b. No bleachers or stadiums are permitted if the site is less than ten acres, and
502 no public amusement devices for hire are permitted;

503 c. Any lights provided to illuminate any building or recreational area shall be
504 so arranged as to reflect the light away from any premises upon which a dwelling unit is
505 located; and

506 d. All buildings or structures or service yards on the site shall maintain a
507 distance not less than fifty feet from any property line and from any public street.

508 14. Excluding amusement and recreational uses classified elsewhere in this
509 chapter.

510 15. Limited to golf driving ranges and subject to subsection B.7. of this section.

511 16. Subject to the following conditions:

512 a. The length of stay per party in campgrounds shall not exceed one hundred
513 eighty days during a three-hundred-sixty-five-day period; and

514 b. Only for campgrounds that are part of a proposed or existing county park,
515 ((which)) that are subject to review and public meetings through the department of natural
516 resources and parks.

517 17. Only for stand-alone sports clubs that are not part of a park.

518 18. Subject to review and approval of conditions to comply with trail corridor
519 provisions of K.C.C. chapter 21A.14 when located in an RA zone and in an equestrian
520 community designated by the Comprehensive Plan.

521 19. Only as an accessory to a large active recreation and multiuse park.

522 20. Only as an accessory to a large active recreation and multiuse park with the
523 floor area of an individual outdoor performance center stage limited to three thousand
524 square feet.

525 21. Only as an accessory to a park, or a large active recreation and multiuse park
526 in the RA zones, and limited to:

527 a. rentals of sports and recreation equipment; and

528 b. a total floor area of seven hundred and fifty square feet.

529 22. Only as an accessory to a large active recreation and multiuse park and
530 limited to:

- a. water slides, wave pools and associated water recreation facilities; and
- b. rentals of sports and recreation equipment.

23. Limited to natural resource and heritage museums and only allowed in a farm or forestry structure, including but not limited to barns or sawmills, existing as of December 31, 2003.

24. Use is permitted without a conditional use permit only when in compliance with all of the following conditions:

a. The use is limited to camps for youths or for persons with special needs due to a disability, as defined by the American With Disabilities Act of 1990, or due to a medical condition and including training for leaders for those who use the camp ~~((and shall not have as a primary purpose:~~

- ~~(1) treatment for addictions,~~
- ~~(2) correctional or disciplinary training, or~~
- ~~(3) housing for homeless persons));~~

b. Active recreational activities shall not involve the use of motorized vehicles such as cross-country motorcycles or all-terrain vehicles or the use of firearms. The prohibition on motorized vehicles does not apply to such vehicles that may be necessary for operation and maintenance of the facility or to a client-specific vehicle used as a personal mobility device;

c.(1) Except as provided in subsection B.24.c.(2)(b) of this section, the number of overnight campers, not including camp personnel, in a new camp shall not exceed:

- (a) one hundred and fifty for a camp between twenty and forty acres; or

(b) for a camp greater than forty acres, but less than two hundred and fifty acres, the number of users allowed by the design capacity of a water system and on-site sewage disposal system approved by the department of health, Seattle/King County, up to a maximum of three hundred and fifty; and

(2) Existing camps shall be subject to the following:

(a) For a camp established prior to August 11, 2005, with a conditional use permit and is forty acres or larger, but less than one hundred and sixty acres, the number of overnight campers, not including camp personnel, may be up to one hundred and fifty campers over the limit established by subsection B.24.c.(1)(b) of this section.

(b) For a camp established prior to August 11, 2005, with a conditional use permit and is one hundred and sixty acres or larger, but less than two hundred acres, the number of overnight campers, not including camp personnel, may be up to three hundred and fifty campers over the limit established by subsection B.24.c.(1)(b) of this section. The camp may terminate operations at its existing site and establish a new camp if the area of the camp is greater than two hundred and fifty acres and the number of overnight campers, not including camp personnel, shall not exceed seven hundred.

d. The length of stay for any individual overnight camper, not including camp personnel, shall not exceed ninety days during a three-hundred-sixty-five-day period;

e. The camp facilities, such as a medical station, food service hall, and activity rooms, shall be of a scale to serve overnight camp users;

f. The minimum size of parcel for such use shall be twenty acres;

g. Except for any permanent caretaker residence, all new structures where camp users will be housed, fed or assembled shall be no less than fifty feet from properties not related to the camp;

h. In order to reduce the visual impacts of parking areas, sports and activity fields or new structures where campers will be housed, fed or assembled, the applicant shall provide a Type 3 landscape buffer no less than twenty feet wide between the nearest property line and such parking area, field, or structures, by retaining existing vegetation or augmenting as necessary to achieve the required level of screening;

i. If the site is adjacent to an arterial roadway, access to the site shall be directly onto said arterial unless direct access is unsafe due inadequate sight distance or extreme grade separation between the roadway and the site;

j. If direct access to the site is via local access streets, transportation demand management measures, such as use of carpools, buses or vans to bring in campers, shall be used to minimize traffic impacts;

k. Any lights provided to illuminate any building or recreational area shall be so arranged as to reflect the light away from any adjacent property; and

l. A community meeting shall be convened by the applicant prior to submittal of an application for permits to establish a camp, or to expand the number of camp users on an existing camp site as provided in subsection B.24.c.(2)(b) of this section. Notice of the meeting shall be provided at least two weeks in advance to all property owners within five hundred feet (or at least twenty of the nearest property owners, whichever is greater). The notice shall at a minimum contain a brief description of the project and the location, as well as, contact persons and numbers.

597 25. Limited to theaters primarily for live productions located within a Rural
 598 Town designated by the King County Comprehensive Plan.

599 SECTION 11. Ordinance 10870, Section 332, as amended, and K.C.C.

600 21A.08.050 are each hereby amended to read as follows:

601 **General services land uses.**

602 A. General services land uses.

KEY		Z O N E	RESOURCE			RESIDENTIAL				COMMERCIAL/INDUSTRIAL							
P-Permitted Use	A		F	M	R	U	R	U	R	N	B	C	B	R	B	O	I
C-Conditional Use	G		O	I	U	R	E	R	E	E	U	O	U	E	U	F	N
S-Special Use	R		R	N	R	B	S	B	S	I	S	I	S	G	S	F	D
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SIC#	SPECIFIC LAND USE	A	F	M	RA	UR	R1-8	R12-48	NB	CB	RB	O	I				
PERSONAL SERVICES:																	
72	General Personal Service						C25	C25	P	P	P	P3	P3				
7216	Drycleaning Plants												P				
7218	Industrial Launderers												P				
7261	Funeral Home/Crematory					C4	C4	C4		P	P						
*	Cemetery, Columbarium or Mausoleum				P24 C5((s)) and 31	P24 C5	P24 C5	P24 C5	P24	P24	P24 C5	P24					
*	Day Care I	P6			P6	P6	P6	P	P	P	P	P7	P7				
*	Day Care II				P8 C	P8 C	P8 C	P8 C	P	P	P	P7	P7				
074	Veterinary Clinic	P9			P9 C10 ((s)) and 31	P9 C10			P10	P10	P10		P				
753	Automotive Repair (1)								P11	P	P		P				
754	Automotive Service								P11	P	P		P				
76	Miscellaneous Repair	C33			P32 C33	P32	P32	P32	P32	P	P		P				
866	Church, Synagogue, Temple				P12 C27 ((s)) and 31	P12 C	P12 C	P12 C	P	P	P	P					
83	Social Services (2)				P12 C13 ((s)) and 31	P12 C13	P12 C13	P12 C13	P13	P	P	P					

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*	Stable	P14 C			P14 C31	P14 C	P14 C					
*	Kennel or Cattery	P9			C	C			C	P		
*	Theatrical Production Services								P30	P28		
*	Artist Studios				P28	P28	P28 P28	P	P	P	P29	P
*	Interim Recycling Facility				P21	P21	P21 P21	P22	P22	P	P21	P
*	Dog training facility	C34			C34	C34		P	P	P		P
HEALTH SERVICES:												
801-04	Office/Outpatient Clinic				P12 C13	P12 C13	P12 C13 P12 C13	P	P	P	P	P
805	Nursing and Personal Care Facilities						C		P	P		
806	Hospital						C13 C13		P	P	C	
807	Medical/Dental Lab								P	P	P	P
808-09	Miscellaneous Health								P	P	P	
EDUCATION SERVICES:												
*	Elementary School				P16 C15 (g) and 31	P	P P		P16c	P16c	P16c	
*	Middle/Junior High School				P16 C15 (g) and 31	P	P P		P16c	P16c	P16c	
*	Secondary or High School				P16 C15 (g) and 26((s)) and 31	P26	P26 P26		P16c C	P16c C	P16c	
*	Vocational School				P13 C31	P13 C	P13 C P13 C			P	P17	P
*	Specialized Instruction School				P19 C20 (g) and 31	P19 C20	P19 C20 P19 C20	P	P	P	P17	P
*	School District Support Facility		P18		P16 C15 C23 (g) and 31 (P 16, C15)	P23 C	P23 C P23 C	C	P	P	P	P
GENERAL CROSS REFERENCES: Land Use Table Instructions, see K.C.C. 21A.08.020 and 21A.02.070; Development Standards, see K.C.C. chapters 21A.12 through 21A.30; General Provisions, see K.C.C. chapters 21A.32 through 21A.38; Application and Review Procedures, see K.C.C. chapters 21A.40 through 21A.44; (*)Definition of this specific Land Use, see K.C.C. chapter 21A.06.												

B. Development conditions.

1. Except SIC Industry No. 7534-Tire Retreading, see manufacturing permitted

use table.

- 606 2. Except SIC Industry Group Nos.:
- 607 a. 835-Day Care Services, and
- 608 b. 836-Residential Care, which is otherwise provided for on the residential
- 609 permitted land use table.
- 610 3. Limited to SIC Industry Group and Industry Nos.:
- 611 a. 723-Beauty Shops;
- 612 b. 724-Barber Shops;
- 613 c. 725-Shoe Repair Shops and Shoeshine Parlors;
- 614 d. 7212-Garment Pressing and Agents for Laundries and Drycleaners; and
- 615 e. 217-Carpet and Upholstery Cleaning.
- 616 4. Only as an accessory to a cemetery, and prohibited from the UR zone only if
- 617 the property is located within a designated unincorporated Rural Town.
- 618 5. Structures shall maintain a minimum distance of one hundred feet from
- 619 property lines adjoining residential zones.
- 620 6. Only as an accessory to residential use, and:
- 621 a. Outdoor play areas shall be completely enclosed by a solid wall or fence,
- 622 with no openings except for gates, and have a minimum height of six feet; and
- 623 b. Outdoor play equipment shall maintain a minimum distance of twenty feet
- 624 from property lines adjoining residential zones.
- 625 7. Permitted as an accessory use. See commercial/industrial accessory, K.C.C.
- 626 21A.08.060.A.

627 8. Only as a reuse of a public school facility subject to K.C.C. chapter 21A.32,
628 or an accessory use to a school, church, park, sport club or public housing administered
629 by a public agency, and:

630 a. Outdoor play areas shall be completely enclosed by a solid wall or fence,
631 with no openings except for gates and have a minimum height of six feet;

632 b. Outdoor play equipment shall maintain a minimum distance of twenty feet
633 from property lines adjoining residential zones;

634 c. Direct access to a developed arterial street shall be required in any
635 residential zone; and

636 d. Hours of operation may be restricted to assure compatibility with
637 surrounding development.

638 9.a. As a home occupation only, but the square footage limitations in K.C.C.
639 chapter 21A.30 for home occupations apply only to the office space for the veterinary
640 clinic, office space for the kennel or office space for the cattery, and:

641 (1) Boarding or overnight stay of animals is allowed only on sites of five
642 acres or more;

643 (2) No burning of refuse or dead animals is allowed;

644 (3) The portion of the building or structure in which animals are kept or
645 treated shall be soundproofed. All run areas, excluding confinement areas for livestock,
646 shall be surrounded by an eight-foot-high solid wall and the floor area shall be surfaced
647 with concrete or other impervious material; and

648 (4) The provisions of K.C.C. chapter 21A.30 relative to animal keeping are
649 met.

650 b. The following additional provisions apply to kennels or catteries in the A
651 zone:

652 (1) Impervious surface for the kennel or cattery shall not exceed twelve
653 thousand square feet;

654 (2) Obedience training classes are not allowed except as provided in
655 subsection B.34. of this section; and

656 (3) Any buildings or structures used for housing animals and any outdoor
657 runs shall be set back one hundred and fifty feet from property lines.

658 10.a. No burning of refuse or dead animals is allowed;

659 b. The portion of the building or structure in which animals are kept or treated
660 shall be soundproofed. All run areas, excluding confinement areas for livestock, shall be
661 surrounded by an eight-foot-high solid wall and the floor area shall be surfaced with
662 concrete or other impervious material; and

663 c. The provisions of K.C.C. chapter 21A.30 relative to animal keeping are met.

664 11. The repair work or service shall only be performed in an enclosed building,
665 and no outdoor storage of materials. SIC Industry No. 7532-Top, Body, and Upholstery
666 Repair Shops and Paint Shops is not allowed.

667 12. Only as a reuse of a public school facility subject to K.C.C. chapter 21A.32.

668 13. Only as a reuse of a surplus nonresidential facility subject to K.C.C. chapter
669 21A.32.

670 14. Covered riding arenas are subject to K.C.C. 21A.30.030 and shall not
671 exceed twenty thousand square feet, but stabling areas, whether attached or detached,
672 shall not be counted in this calculation.

673 15. Limited to projects ~~((which))~~ that do not require or result in an expansion of
674 sewer service outside the urban growth area, unless a finding is made that no cost-
675 effective alternative technologies are feasible, in which case a tightline sewer sized only
676 to meet the needs of the public school, as defined in RCW 28A.150.010, or the school
677 facility and serving only the public school or the school facility may be used. New public
678 high schools shall be permitted subject to the review process ~~((set forth))~~ in K.C.C.
679 21A.42.140.

680 16.a. For middle or junior high schools and secondary or high schools or school
681 facilities, only as a reuse of a public school facility or school facility subject to K.C.C.
682 chapter 21A.32. An expansion of such a school or a school facility shall be subject to
683 approval of a conditional use permit and the expansion shall not require or result in an
684 extension of sewer service outside the urban growth area, unless a finding is made that no
685 cost-effective alternative technologies are feasible, in which case a tightline sewer sized
686 only to meet the needs of the public school, as defined in RCW 28A.150.010, or the
687 school facility may be used.

688 b. Renovation, expansion, modernization or reconstruction of a school, a
689 school facility, or the addition of relocatable facilities, is permitted but shall not require
690 or result in an expansion of sewer service outside the urban growth area, unless a finding
691 is made that no cost-effective alternative technologies are feasible, in which case a
692 tightline sewer sized only to meet the needs of the public school, as defined in RCW
693 28A.150.010, or the school facility may be used.

694 c. In CB, RB and O, for K-12 schools with no more than one hundred students.

695 17. All instruction must be within an enclosed structure.

- 696 18. Limited to resource management education programs.
- 697 19. Only as an accessory to residential use, and:
- 698 a. Students shall be limited to twelve per one-hour session;
- 699 b. All instruction must be within an enclosed structure; and
- 700 c. Structures used for the school shall maintain a distance of twenty-five feet
- 701 from property lines adjoining residential zones.
- 702 20. Subject to the following:
- 703 a. Structures used for the school and accessory uses shall maintain a minimum
- 704 distance of twenty-five feet from property lines adjoining residential zones;
- 705 b. On lots over two and one-half acres:
- 706 (1) Retail sale of items related to the instructional courses is permitted, if total
- 707 floor area for retail sales is limited to two thousand square feet;
- 708 (2) Sale of food prepared in the instructional courses is permitted with
- 709 Seattle-King County department of public health approval, if total floor area for food
- 710 sales is limited to one thousand square feet and is located in the same structure as the
- 711 school; and
- 712 (3) Other incidental student-supporting uses are allowed, if such uses are
- 713 found to be both compatible with and incidental to the principal use; and
- 714 c. On sites over ten acres, located in a designated Rural Town and zoned any
- 715 one or more of UR, R-1 and R-4:
- 716 (1) Retail sale of items related to the instructional courses is permitted,
- 717 provided total floor area for retail sales is limited to two thousand square feet;

718 (2) Sale of food prepared in the instructional courses is permitted with
719 Seattle-King County department of public health approval, if total floor area for food
720 sales is limited to one thousand seven hundred fifty square feet and is located in the same
721 structure as the school;

722 (3) Other incidental student-supporting uses are allowed, if the uses are found
723 to be functionally related, subordinate, compatible with and incidental to the principal
724 use;

725 (4) The use shall be integrated with allowable agricultural uses on the site;

726 (5) Advertised special events shall comply with the temporary use
727 requirements of this chapter; and

728 (6) Existing structures that are damaged or destroyed by fire or natural event,
729 if damaged by more than fifty percent of their prior value, may reconstruct and expand an
730 additional sixty-five percent of the original floor area but need not be approved as a
731 conditional use if their use otherwise complies with development condition B.20.c. of this
732 section and this title.

733 21. Limited to drop box facilities accessory to a public or community use such
734 as a school, fire station or community center.

735 22. With the exception of drop box facilities for the collection and temporary
736 storage of recyclable materials, all processing and storage of material shall be within
737 enclosed buildings. Yard waste processing is not permitted.

738 23. Only if adjacent to an existing or proposed school.

739 24. Limited to columbariums accessory to a church, but required landscaping
740 and parking shall not be reduced.

741 25. Not permitted in R-1 and limited to a maximum of five thousand square feet
742 per establishment and subject to the additional requirements in K.C.C. 21A.12.230.

743 26.a. New high schools shall be permitted in the rural and the urban residential
744 and urban reserve zones subject to the review process in K.C.C. 21A.42.140.

745 b. Renovation, expansion, modernization, or reconstruction of a school, or the
746 addition of relocatable facilities, is permitted.

747 27. Limited to projects that do not require or result in an expansion of sewer
748 service outside the urban growth area. In addition, such use shall not be permitted in the
749 RA-20 zone.

750 28. Only as a reuse of a surplus nonresidential facility subject to K.C.C. chapter
751 21A.32 or as a joint use of an existing public school facility.

752 29. All studio use must be within an enclosed structure.

753 30. Adult use facilities shall be prohibited within six hundred sixty feet of any
754 residential zones, any other adult use facility, school, licensed daycare centers, parks,
755 community centers, public libraries or churches that conduct religious or educational
756 classes for minors.

757 31. Subject to review and approval of conditions to comply with trail corridor
758 provisions of K.C.C. chapter 21A.14 when located in an RA zone and in an equestrian
759 community designated by the Comprehensive Plan.

760 32. Limited to repair of sports and recreation equipment:

761 a. as an accessory to a large active recreation and multiuse park in the urban
762 growth area; or

b. as an accessory to a park, or a large active recreation and multiuse park in the RA zones, and limited to a total floor area of seven hundred fifty square feet.

33. Accessory to agricultural or forestry uses provided:

a. the repair of tools and machinery is limited to those necessary for the operation of a farm or forest.

b. the lot is at least five acres.

c. the size of the total repair use is limited to one percent of the lot size up to a maximum of five thousand square feet unless located in a farm structure, including but not limited to barns, existing as of December 31, 2003.

34. Subject to the following:

a. the lot is at least five acres.

b. in the A zones, area used for dog training shall be located on portions of agricultural lands that are unsuitable for other agricultural purposes, such as areas within the already developed portion of such agricultural lands that are not available for direct agricultural production or areas without prime agricultural soils.

c. structures and areas used for dog training shall maintain a minimum distance of seventy-five feet from property lines.

d. all training activities shall be conducted within fenced areas or in indoor facilities. Fences must be sufficient to contain the dogs.

SECTION 12. Ordinance 10870, Section 333, as amended, and K.C.C. 21A.08.060 are each hereby amended to read as follows:

Government/business services land uses.

A. Government/business services land uses.

KEY	RESOURCE	RESIDENTIAL	COMMERCIAL/INDUSTRIAL
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Ordinance

P-Permitted Use C-Conditional Use S-Special Use		Z O N E	A G R I C U L T U R E	F O R E S T	M I N E R A L	R U R A L	U R B A N	R E S E R V E	U R B A N	R E S I D E N T I A L	N E I G H B O R H O O D	B U S I N E S S	C O M M U N I T Y	B U S I N E S S	R E S I D E N C E S	O F F I C E	I N D U S T R I A L
SIC#	SPECIFIC LAND USE		A	F	M	RA	UR	R1-8	R12-48	NB	CB	RB	O	I (30)			
GOVERNMENT SERVICES:																	
*	Public agency or utility office				P3 C5	P3 C5	P3 C	P3 C	P	P	P	P	P16				
*	Public agency or utility yard				P27	P27	P27	P27			P		P				
*	Public agency archives										P	P	P				
921	Court									P4	P	P					
9221	Police Facility				P7	P7	P7	P7	P7	P	P	P	P				
9224	Fire Facility				C6((s)) and 33	C6	C6	C6	P	P	P	P	P				
*	Utility Facility	P29 C2 8	P29 C2 8	P29 C2 8	P29 C28 ((s)) and 33	P29 C28	P29 C2 8	P29 C28	P	P	P	P	P				
*	Commuter Parking Lot				C 33 P19	C P19	C P19	C 19	P	P	P	P	P35				
*	Private Stormwater Management Facility	P8	P8	P8	P8	P8	P8	P8	P8	P8	P8	P8	P8				
*	Vactor Waste Receiving Facility	P	P	P	P18	P18	P18	P18	P31	P31	P31	P31	P				
BUSINESS SERVICES:																	
*	Construction and Trade				P34						P	P9	P				
*	Individual Transportation and Taxi									P25	P	P10	P				
421	Trucking and Courier Service									P11	P12	P13	P				
*	Warehousing, (1) and Wholesale Trade												P				
*	Self-service Storage							C14	P37	P	P	P	P				
4221 4222	Farm Product Warehousing, Refrigeration and Storage	P15 C3 6			P15 ((s)) and 33 C36	P15, C36							P				
*	Log Storage	P15	P		P26 ((s)) and 33								P				
47	Transportation Service												P				
473	Freight and Cargo Service										P	P	P				
472	Passenger Transportation Service									P	P	P					
48	Communication Offices										P	P	P				
482	Telegraph and other Communications									P	P	P	P				
*	General Business Service								P	P	P	P	P16				
*	Professional Office								P	P	P	P	P16				

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7312	Outdoor Advertising Service									P	P17	P
735	Miscellaneous Equipment Rental								P17	P	P17	P
751	Automotive Rental and Leasing								P	P		P
752	Automotive Parking							P20	P20	P21	P20	P
*	Off-Street Required Parking Lot				P32	P32	P32	P32	P32	P32	P32	P32
7941	Professional Sport Teams/Promoters									P	P	
873	Research, Development and Testing									P2	P2	P2
*	Heavy Equipment and Truck Repair											P
	ACCESSORY USES:											
*	Commercial/Industrial Accessory Uses			P	P22			P22	P22	P	P	P
*	Helistop					C23	C2	C23	C23	C23	C24	C2
GENERAL CROSS REFERENCE		Land Use Table Instructions, see K.C.C. 21A.08.020 and 21A.02.070; Development Standards, see chapters 21A.12 through 21A.30; General Provisions, see K.C.C. chapters 21A.32 through 21A.38; Application and Review Procedures, see K.C.C. chapters 21A.40 through 21A.44; (*) Definition of this specific land use, see K.C.C. chapter 21A.06.										

- B. Development conditions.
1. Except self-service storage.
 2. Except SIC Industry No. 8732-Commercial Economic, Sociological, and Educational Research, see general business service/office.
 - 3.a. Only as a re-use of a public school facility or a surplus nonresidential facility subject to the provisions of K.C.C. chapter 21A.32; or
 - b. only when accessory to a fire facility and the office is no greater than one thousand five hundred square feet of floor area.
 4. Only as a re-use of a surplus nonresidential facility subject to K.C.C. chapter 21A.32.
 5. New utility office locations only if there is no commercial/industrial zoning in the utility district, and not in the RA-10 or RA-20 zones unless it is demonstrated that no feasible alternative location is possible, and provided further that this condition applies to the UR zone only if the property is located within a designated unincorporated Rural Town.

801 6.a. All buildings and structures shall maintain a minimum distance of twenty
802 feet from property lines adjoining residential zones;

803 b. Any buildings from which fire-fighting equipment emerges onto a street
804 shall maintain a distance of thirty-five feet from such street;

805 c. No outdoor storage; and

806 d. Excluded from the RA-10 and RA-20 zones unless it is demonstrated that no
807 feasible alternative location is possible.

808 7. Limited to storefront police offices. Such offices shall not have:

809 a. holding cells,

810 b. suspect interview rooms (except in the NB zone), or

811 c. long-term storage of stolen properties.

812 8. Private stormwater management facilities serving development proposals
813 located on commercial/industrial zoned lands shall also be located on
814 commercial/industrial lands, unless participating in an approved shared facility drainage
815 plan. Such facilities serving development within an area designated urban in the King
816 County Comprehensive Plan shall only be located in the urban area.

817 9. No outdoor storage of materials.

818 10. Limited to office uses.

819 11. Limited to self-service household moving truck or trailer rental accessory to
820 a gasoline service station.

821 12. Limited to self-service household moving truck or trailer rental accessory to
822 a gasoline service station and SIC Industry No. 4215-Courier Services, except by air.

823 13. Limited to SIC Industry No. 4215-Courier Services, except by air.

14. Accessory to an apartment development of at least twelve units provided:

a. The gross floor area in self service storage shall not exceed the total gross floor area of the apartment dwellings on the site;

b. All outdoor lights shall be deflected, shaded and focused away from all adjoining property;

c. The use of the facility shall be limited to dead storage of household goods;

d. No servicing or repair of motor vehicles, boats, trailers, lawn mowers or similar equipment;

e. No outdoor storage or storage of flammable liquids, highly combustible or explosive materials or hazardous chemicals;

f. No residential occupancy of the storage units;

g. No business activity other than the rental of storage units; and

h. A resident director shall be required on the site and shall be responsible for maintaining the operation of the facility in conformance with the conditions of approval.

15.a. The floor area devoted to warehousing, refrigeration or storage shall not exceed two thousand square feet;

b. Structures and areas used for warehousing, refrigeration and storage shall maintain a minimum distance of seventy-five feet from property lines adjoining residential zones; and

c. Warehousing, refrigeration and storage is limited to agricultural products and sixty percent or more of the products must be grown or processed in the Puget Sound counties. At the time of the initial application, the applicant shall submit a projection of the source of products to be included in the warehousing, refrigeration or storage.

- 847 16. Only as an accessory use to another permitted use.
- 848 17. No outdoor storage.
- 849 18. Only as an accessory use to a public agency or utility yard, or to a transfer
- 850 station.
- 851 19. Limited to new commuter parking lots designed for thirty or fewer parking
- 852 spaces or commuter parking lots located on existing parking lots for churches, schools, or
- 853 other permitted nonresidential uses (~~((which))~~) that have excess capacity available during
- 854 commuting; provided that the new or existing lot is adjacent to a designated arterial that
- 855 has been improved to a standard acceptable to the department of transportation;
- 856 20. No tow-in lots for damaged, abandoned or otherwise impounded vehicles.
- 857 21. No dismantling or salvage of damaged, abandoned or otherwise impounded
- 858 vehicles.
- 859 22. Storage limited to accessory storage of commodities sold at retail on the
- 860 premises or materials used in the fabrication of commodities sold on the premises.
- 861 23. Limited to emergency medical evacuation sites in conjunction with police,
- 862 fire or health service facility. Helistops are prohibited from the UR zone only if the
- 863 property is located within a designated unincorporated Rural Town.
- 864 24. Allowed as accessory to an allowed use.
- 865 25. Limited to private road ambulance services with no outside storage of
- 866 vehicles.
- 867 26. Limited to two acres or less.
- 868 27a. Utility yards only on sites with utility district offices; or

869 b. Public agency yards are limited to material storage for road maintenance
870 facilities.

871 28. Limited to bulk gas storage tanks (~~((which))~~ that pipe to individual residences
872 but excluding liquefied natural gas storage tanks.

873 29. Excluding bulk gas storage tanks.

874 30. For I-zoned sites located outside the urban growth area designated by the
875 King County Comprehensive Plan, uses shall be subject to the provisions for rural
876 industrial uses (~~((as set forth))~~) in K.C.C. chapter 21A.12.

877 31. Vactor waste treatment, storage and disposal shall be limited to liquid
878 materials. Materials shall be disposed of directly into a sewer system, or shall be stored
879 in tanks (or other covered structures), as well as enclosed buildings.

880 32. Provided:

881 a. Off-street required parking for a land use located in the urban area must be
882 located in the urban area;

883 b. Off-street required parking for a land use located in the rural area must be
884 located in the rural area; and

885 c. Off-street required parking must be located on a lot (~~((which))~~ that would
886 permit, either outright or through a land use permit approval process, the land use the off-
887 street parking will serve.

888 33. Subject to review and approval of conditions to comply with trail corridor
889 provisions of K.C.C. chapter 21A.14 when located in an RA zone and in an equestrian
890 community designated by the Comprehensive Plan.

891 34. Limited to landscape and horticultural services (SIC 078) that are accessory
892 to a use classified as retail nurseries, lawn and garden supply store (SIC 5261) and
893 provided that construction equipment for the accessory use shall not be stored on the
894 premises.

895 35. Allowed as a primary or accessory use to an allowed industrial-zoned land
896 use.

897 36. Accessory to agricultural uses provided:

898 a. In the RA zones and on lots less than thirty-five acres in the A zone, the floor
899 area devoted to warehousing, refrigeration or storage shall not exceed three thousand five
900 hundred square feet unless located in a farm structure, including but not limited to barns,
901 existing as of December 31, 2003;

902 b. On lots at least thirty-five acres in the A zones, the floor area devoted to
903 warehousing, refrigeration or storage shall not exceed seven thousand square feet unless
904 located in a farm structure, including but not limited to barns, existing as of December
905 31, 2003;

906 c. In the A zones, structures and areas used for warehousing, refrigeration and
907 storage shall be located on portions of agricultural lands that are unsuitable for other
908 agricultural purposes, such as areas within the already developed portion of such
909 agricultural lands that are not available for direct agricultural production, or areas without
910 prime agricultural soils;

911 d. Structures and areas used for warehousing, refrigeration or storage shall
912 maintain a minimum distance of seventy-five feet from property lines adjoining
913 residential zones; and

e. Warehousing, refrigeration and storage is limited to agricultural products and sixty percent or more of the products must be grown or processed in the Puget Sound counties. At the time of the initial application, the applicant shall submit a projection of the source of products to be included in the warehousing, refrigeration or storage.

37. Use shall be limited to the NB zone on parcels outside of the Urban Growth Area, Rural Towns and Rural Neighborhoods and the building floor area devoted to such use shall not exceed ten thousand square feet.

SECTION 14. Ordinance 10870, Section 334, as amended, and K.C.C. 21A.08.070 are each hereby amended to read as follows:

Retail land uses.

A. Retail land uses.

KEY		Z O N E	RESOURCE			RESIDENTIAL				COMMERCIAL/INDUSTRIAL							
P-Permitted Use	A		F	M	R	U	R	U	R	N	B	C	B	R	B	O	I
C-Conditional Use	G		O	I	U	R	E	R	E	E	U	O	U	E	U	F	N
S-Special Use	R		R	N	R	B	S	B	S	I	S	M	S	G	S	F	D
	I	E	E	A	A	E	A	I	G	I	M	I	I	I	I	U	
	C	S	R	L	N	R	N	D	H	N	U	N	O	N	C	S	
	U	T	A			V		E	B	E	N	E	N	E	E	T	
	L		L						O	S	I	S	A	S	R		
	T								R	S	T	S	L	S	I		
	U								H						A		
	R								O						L		
	E								D								
SIC #	SPECIFIC LAND USE	A	F	M	RA	UR	R1-8	R12-48	NB	CB	RB	O	I (30)				
*	Building, Hardware and Garden Materials	P19			P21 C1				P2	P	P						
*	Forest Products Sales	P3((;)) and 4	P4		P3((;)) and 4						P						
*	Department and Variety Stores						C14	C14	P5	P	P						
54	Food Stores				C13		C15	C15	P	P	P	C	P6				
*	Agricultural Product Sales	P20 C7	P4		P20((;)) C7	P3	P3										
*	Motor Vehicle and Boat Dealers										P8		P				
553	Auto Supply Stores									P9	P9		P				

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554	Gasoline Service Stations							P	P	P	P
56	Apparel and Accessory Stores								P	P	
*	Furniture and Home Furnishings Stores								P	P	
58	Eating and Drinking Places			C22 P24		C16 P23	C16 P23	P10	P	P	P P
*	Drug Stores					C15	C15	P	P	P	C
592	Liquor Stores								P	P	
593	Used Goods: Antiques/ Secondhand Shops								P	P	
*	Sporting Goods and Related Stores		P2 5	P25	P25	P25	P25	P25	P	P	P2 5 P2 5
*	Book, Stationery, Video and Art Supply Stores					C15	C15	P	P	P	
*	Jewelry Stores								P	P	
*	Monuments, Tombstones, and Gravestones									P	
*	Hobby, Toy, Game Shops							P	P	P	
*	Photographic and Electronic Shops							P	P	P	
*	Fabric Shops								P	P	
598	Fuel Dealers								C11	P	P
*	Florist Shops					C15	C15	P	P	P	P
*	Personal Medical Supply Stores								P	P	
*	Pet Shops							P	P	P	
*	Bulk Retail								P	P	
*	Auction Houses									P12	P
*	Livestock Sales	P17	P1 7		P17	P17	P17(() and 18				P
GENERAL CROSS REFERENCES: Land Use Table Instructions, see K.C.C. 21A.08.020 and 21A.02.070; Development Standards, see K.C.C. chapters 21A.12 through 21A.30; General Provisions, see K.C.C. chapters 21A.32 through 21A.38; Application and Review Procedures, see K.C.C. chapters 21A.40 through 21A.44; (*)Definition of this specific land use, see K.C.C. chapter 21A.06.											

925 B. Development conditions.

926 1. Only feed stores and garden supply stores.

927 2. Only hardware and garden materials stores shall be permitted.

- 928 3.a. Limited to products grown on site.
- 929 b. Covered sales areas shall not exceed a total area of five hundred square feet.
- 930 4. No permanent structures or signs.
- 931 5. Limited to SIC Industry No. 5331-Variety Stores, and further limited to a
- 932 maximum of two thousand square feet of gross floor area.
- 933 6. Limited to a maximum of two thousand square feet of gross floor area.
- 934 7.a. The floor area devoted to retail sales shall not exceed three thousand five
- 935 hundred square feet unless it is located in an agricultural structure, such as a barn,
- 936 existing as of December 31, 2003.
- 937 b. Forty percent or more of the gross sales of agricultural product sold through
- 938 the store must be sold by the producers of primary agricultural products.
- 939 c. Sixty percent or more of the gross sales of agricultural products sold through
- 940 the store shall be derived from products grown or produced in the Puget Sound counties.
- 941 At the time of the initial application, the applicant shall submit a reasonable projection of
- 942 the source of product sales.
- 943 d. Sales shall be limited to agricultural products and locally made arts and
- 944 crafts.
- 945 e. Storage areas for agricultural products may be included in a farm store
- 946 structure or in any accessory building.
- 947 f. Outside lighting is permitted if no off-site glare is allowed.
- 948 8. Excluding retail sale of trucks exceeding one-ton capacity.
- 949 9. Only the sale of new or reconditioned automobile supplies is permitted.
- 950 10. Excluding SIC Industry No. 5813-Drinking Places.

951 11. No outside storage of fuel trucks and equipment.

952 12. Excluding vehicle and livestock auctions.

953 13. Only as accessory to a winery or brewery, and limited to sales of products
954 produced on site and incidental items where the majority of sales are generated from
955 products produced on site.

956 14. Not in R-1 and limited to SIC Industry No. 5331-Variety Stores, limited to a
957 maximum of five thousand square feet of gross floor area, and subject to K.C.C.
958 21A.12.330.

959 15. Not permitted in R-1 and limited to a maximum of five thousand square feet
960 of gross floor area and subject to K.C.C. 21A.12.230.

961 16. Not permitted in R-1 and excluding SIC Industry No. 5813-Drinking Places,
962 and limited to a maximum of five thousand square feet of gross floor area and subject to
963 K.C.C. 21A.12.230 except as provided in subsection B.23. of this section.

964 17. Retail sale of livestock is permitted only as accessory to raising livestock.

965 18. Limited to the R-1 zone.

966 19. Limited to the sale of livestock feed, hay and livestock veterinary supplies
967 with a covered sales area of not more than two thousand square feet. The square foot
968 limitation does not include areas for storing livestock feed, hay or veterinary supplies or
969 covered parking areas for trucks engaged in direct sale of these products from the truck.

970 20.a. The floor area devoted to retail sales shall not exceed two thousand square
971 feet unless it is located in an agricultural structure, such as a barn, existing as of
972 December 31, 2003.

b. Forty percent or more of the gross sales of agricultural products sold through the store must be sold by the producers of primary agricultural products.

c. Sixty percent or more of the gross sales of agricultural products sold through the store over a five-year period shall be derived from products grown or produced in the Puget Sound counties. At the time of the initial application, the applicant shall submit a projection of the source of product sales.

d. Sales shall be limited to agricultural products and locally-made arts and crafts.

e. Storage areas for agricultural products may be included in a farm store structure or in any accessory building.

f. Outside lighting is permitted if no off-site glare is allowed.

21. Limited to hay sales.

22. Only as:

a. an accessory use to a winery or brewery, limited to the tasting of products produced on site;

b. an accessory use to a permitted manufacturing or retail land use, limited to espresso stands to include sales of beverages and incidental food items, and not to include drive-through sales; or

c. an accessory use to a large active recreation and multiuse park, limited to a total floor area of three thousand five hundred square feet.

23. Only as:

a. an accessory to a large active recreation and multiuse park; or

b. an accessory to a park and limited to a total floor area of one thousand five hundred square feet.

24. Accessory to a park, limited to a total floor area of seven hundred fifty square feet.

25. Only as an accessory to:

a. a large active recreation and multiuse park in the urban growth area; or

b. a park, or a large active recreation and multiuse park in the RA zones, and limited to a total floor area of seven hundred and fifty square feet.

SECTION 15. Ordinance 10870, Section 354, as amended, and K.C.C. 21A.12.170 are each hereby amended to read as follows:

Setbacks – ~~((P))~~projections and structures allowed. Provided that the required setbacks from regional utility corridors of K.C.C. 21A.12.140, the adjoining half-street or designated arterial setbacks of K.C.C. 21A.12.160 and the sight distance requirements of K.C.C. 21A.12.210 are maintained, structures may extend into or be located in required setbacks, including setbacks as required by K.C.C. 21A.12.220B, as follows:

A. Fireplace structures, bay or garden windows, enclosed stair landings, closets, or similar structures may project into any setback, provided such projections are:

1. Limited to two per facade;

2. Not wider than ten feet; and

3. Not more than twenty-four inches into an interior setback or thirty inches into a street setback;

B. Uncovered porches and decks (~~((which))~~ that exceed eighteen inches above the finished grade may project:

- 1018 1. Eighteen inches into interior setbacks((§)); and
- 1019 2. Five feet into the street setback;
- 1020 C. Uncovered porches and decks not exceeding eighteen inches above the
- 1021 finished grade may project to the property line;
- 1022 D. Eaves may not project more than:
- 1023 1. Eighteen inches into an interior setback((§));
- 1024 2. Twenty-four inches into a street setback((§)); or
- 1025 3. Eighteen inches across a lot line in a zero-lot-line development;
- 1026 E. Fences with a height of six feet or less may project into or be located in any
- 1027 setback((§));
- 1028 F. Rockeries, retaining walls and curbs may project into or be located in any
- 1029 setback provided these structures:
- 1030 1. Do not exceed a height of six feet in the R-1 through R-18, UR, RA and
- 1031 resource zones((§));
- 1032 2. Do not exceed a height of eight feet in the R-24 and R-48 zones((§)); and
- 1033 3. Do not exceed the building height for the zone in commercial/industrial
- 1034 zones, measured in accordance with the standards established in the King County
- 1035 Building Code, Title 16;
- 1036 G. Fences located on top of rockeries, retaining walls or berms are subject to the
- 1037 requirements of K.C.C. 21A.14.220;
- 1038 H. Telephone, power, light and flag poles;
- 1039 I. The following may project into or be located within a setback, but may only
- 1040 project into or be located within a five foot interior setback area if an agreement

documenting consent between the owners of record of the abutting properties is recorded with the King County department of records and elections prior to the installment or construction of the structure:

1. Sprinkler systems, electrical and cellular equipment cabinets and other similar utility boxes and vaults((;));

2. Security system access controls((;));

3. Structures, except for buildings, associated with trails and on-site recreation spaces and play areas required in K.C.C. 21A.14.180 and K.C.C. 21A.14.190 such as benches, picnic tables and drinking fountains((;)); and

4. ((s))Surface water management facilities as required by K.C.C. 9.04;

J. Mailboxes and newspaper boxes may project into or be located within street setbacks;

K. Fire hydrants and associated appendages;

L. Metro bus shelters may be located within street setbacks((-));

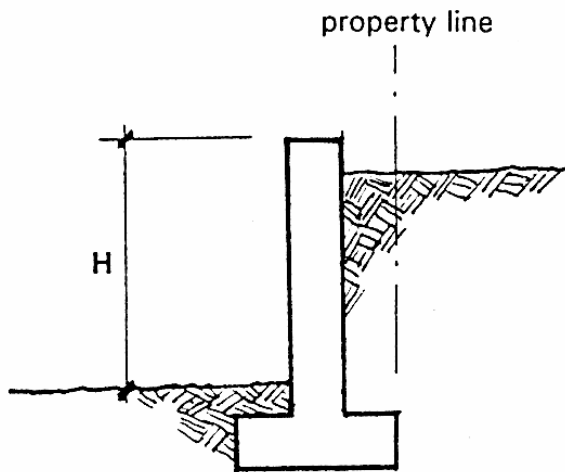
M. Unless otherwise allowed in K.C.C. 21A.20.080, free standing and monument signs four feet or less in height, with a maximum sign area of twenty square feet may project into or be located within street setbacks; ((and))

N. On a parcel in the RA zone, in the interior setback that adjoins a property zoned NB or CB, structures housing refrigeration equipment that extends no more than ten feet into the setback and is no more than sixty feet in length; and

O. Stormwater conveyance and control facilities, both above and below ground, provided such projections are:

- 1063 1. Consistent with setback, easement and access requirements specified in the
1064 Surface Water Design Manual((?)); or
1065 2. In the absence of said specifications, not within five feet of the property line.

RETAINING WALL IN SETBACK



H max. 6' in R1 - R18, UR, RA
& Resource Zones

H max. 8' in R24 and R 48 Zones, and
not to exceed building height
requirement in Commerical/Industrial
Zones

1066
1067 SECTION 16. Ordinance 10870, Section 364, as amended, and K.C.C.

1068 21A.14.040 are each hereby amended to read as follows:

1069 **Lot segregations - clustered development.** Residential lot clustering is allowed
1070 in the R, UR and RA zones. If residential lot clustering is proposed, the following
1071 requirements shall be met:

1072 A. In the R zones, any designated open space tract resulting from lot clustering
1073 shall not be altered or disturbed except as specified on recorded documents creating the
1074 open space. Open spaces may be retained under ownership by the subdivider, conveyed
1075 to residents of the development or conveyed to a third party. If access to the open space
1076 is provided, the access shall be located in a separate tract;

1077 B. In the RA zone:

1078 1. No more than eight lots of less than two and one-half acres shall be allowed
1079 in a cluster;

2. No more than eight lots of less than two and one-half acres shall be served by a single cul-de-sac street;

3. Clusters containing two or more lots of less than two and one-half acres, whether in the same or adjacent developments, shall be separated from similar clusters by at least one hundred twenty feet;

4. The overall amount, and the individual degree of clustering shall be limited to a level that can be adequately served by rural facilities and services, including, but not limited to, on-site sewage disposal systems and rural roadways;

5. A fifty-foot Type II landscaping screen, as defined in K.C.C. 21A.16.040, shall be provided along the frontage of all public roads. The planting materials shall consist of species that are native to the Puget Sound region. Preservation of existing healthy vegetation is encouraged and may be used to augment new plantings to meet the requirements of this section;

6. Except as provided in subsection B.7. of this section, open space tracts created by clustering in the RA zone shall be designated as permanent open space. Acceptable uses within open space tracts are passive recreation, with no development of active recreational facilities, natural-surface pedestrian and equestrian foot trails and passive recreational facilities. A resource tract created under K.C.C. 16.82.152.E. may be considered an open space tract for purposes of this subsection B.6;

7. In the RA zone a resource land tract may be created through a cluster development in lieu of an open space tract. A resource tract created under K.C.C. 16.82.152.E. may be considered a resource tract for purposes of this subsection B.7. The

resource land tract may be used as a working forest or farm if the following provisions are met:

a. Appropriateness of the resource land tract for forestry or agriculture has been determined by the county;

b. The subdivider shall prepare a forest management plan, ~~((which))~~ that must be reviewed and approved by the King County department of natural resources and parks, or a farm management plan, if a plan is required under K.C.C. chapter 21A.30, ~~((which))~~ that must be developed by the King Conservation District. The criteria for management of a resource land tract established through a cluster development in the RA zone shall be set forth in a public rule. The criteria must assure that forestry or farming will remain as a sustainable use of the resource land tract and, except as otherwise provided for resource tracts created pursuant to K.C.C. 16.82.152.E, that structures supportive of forestry and agriculture may be allowed in the resource land tract. The criteria must also set impervious surface limitations and identify the type of buildings or structures that will be allowed within the resource land tract;

c. The recorded plat or short plat shall designate the resource land tract as a working forest or farm;

d. Resource land tracts that are conveyed to residents of the development shall be retained in undivided interest by the residents of the subdivision or short subdivision;

e. A homeowners association shall be established to assure implementation of the forest management plan or farm management plan if the resource land tract is retained in undivided interest by the residents of the subdivision or short subdivision;

f. The subdivider shall file a notice with the King County department of executive services, records, elections and licensing services division. The required contents and form of the notice shall be set forth in a public rule. The notice shall inform the property owner or owners that the resource land tract is designated as a working forest or farm, ~~((which))~~ that must be managed in accordance with the provisions established in the approved forest management plan or farm management plan;

g. The subdivider shall provide to the department proof of the approval of the forest management plan or farm management plan and the filing of the notice required in subsection B.7.f. of this section before recording of the final plat or short plat;

h. The notice shall run with the land; and

i. Natural-surface pedestrian and equestrian foot trails, passive recreation, and passive recreational facilities, with no development of active recreational facilities, are allowed uses in resource land tracts; and

~~8. ((For purposes of this section, passive recreational facilities include trail access points, small-scale parking areas and restroom facilities; and~~

~~9.))~~ The requirements of subsection B.1., 2, or 3. of this subsection may be modified or waived by the director if the property is encumbered by critical areas containing habitat for, or there is the presence of, species listed as threatened or endangered under the Endangered Species Act when it is necessary to protect the habitat; and

C. In the R-1 zone, open space tracts created by clustering required by K.C.C. 21A.12.030 shall be located and configured to create urban separators and greenbelts as required by the Comprehensive Plan, or subarea plans or open space functional plans, to

connect and increase protective buffers for critical areas, to connect and protect wildlife habitat corridors designated by the Comprehensive Plan and to connect existing or planned public parks or trails. The department may require open space tracts created under this subsection to be dedicated to an appropriate managing public agency or qualifying private entity such as a nature conservancy. In the absence of such a requirement, open space tracts shall be retained in undivided interest by the residents of the subdivision or short subdivision. A homeowners association shall be established for maintenance of the open space tract.

SECTION 17. Ordinance 10870, Section 378, as amended, and K.C.C. 21A.14.180 are each hereby amended to read as follows:

On-site recreation - space required.

A. Residential developments of more than four units in the UR and R-4 through R-48 zones, stand-alone townhouse developments in the NB zone on property designated commercial outside of center in the urban area of more than four units, and mixed-use developments of more than four units, shall provide recreation space for leisure, play and sport activities as follows:

1. Residential subdivision, townhouses and apartments developed at a density of eight units or less per acre: three hundred ninety square feet per unit;
2. Mobile home park: two hundred sixty square feet per unit; ~~((and))~~
3. Residential subdivisions developed at a density of greater than eight units per acre: three hundred square feet per unit; and
4. Apartment~~s~~s ~~((;))~~ and townhouses developed at a density of greater than eight units per acre~~((;))~~ and mixed use:

- 1170 a. Studio and one bedroom: ninety square feet per unit;
- 1171 b. Two bedrooms: one hundred seventy square feet per unit; and
- 1172 c. Three or more bedrooms: one hundred seventy square feet per unit.
- 1173 B. Recreation space shall be placed in a designated recreation space tract if part
- 1174 of a subdivision. The tract shall be dedicated to a homeowner's association or other
- 1175 workable organization acceptable to the director, to provide continued maintenance of the
- 1176 recreation space tract consistent with K.C.C. 21A.14.200.
- 1177 C. Any recreation space located outdoors that is not part of a storm water tract
- 1178 developed in accordance with subsection F. of this section shall:
- 1179 1. Be of a grade and surface suitable for recreation improvements and have a
- 1180 maximum grade of five percent;
- 1181 2. Be on the site of the proposed development;
- 1182 3. Be located in an area where the topography, soils, hydrology and other
- 1183 physical characteristics are of such quality as to create a flat, dry, obstacle-free space in a
- 1184 configuration ((which)) that allows for passive and active recreation;
- 1185 4. Be centrally located with good visibility of the site from roads and sidewalks;
- 1186 5. Have no dimensions less than thirty feet, except trail segments;
- 1187 6. Be located in one designated area, unless the director determines that
- 1188 residents of large subdivisions, townhouses and apartment developments would be better
- 1189 served by multiple areas developed with recreation or play facilities;
- 1190 7. Have a street roadway or parking area frontage along ten percent or more of
- 1191 the recreation space perimeter, except trail segments, if the required outdoor recreation

space exceeds five thousand square feet and is located in a single detached or townhouse subdivision;

8. Be accessible and convenient to all residents within the development; ~~((and))~~

9. Be located adjacent to, and be accessible by, trail or walkway to any existing or planned municipal, county or regional park, public open space or trail system, ~~((which))~~ that may be located on adjoining property; and

10. Be landscaped with a ten foot wide type III buffer adjacent to streets.

D. Indoor recreation areas may be credited towards the total recreation space requirement, if the director determines that the areas are located, designed and improved in a manner that provides recreational opportunities functionally equivalent to those recreational opportunities available outdoors. For senior citizen assisted housing, indoor recreation areas need not be functionally equivalent but may include social areas, game and craft rooms, and other multipurpose entertainment and education areas.

E. Play equipment or age appropriate facilities shall be provided within dedicated recreation space areas according to the following requirements:

1. For developments of five dwelling units or more, a tot lot or children's play area, ~~((which))~~ that includes age appropriate play equipment and benches, shall be provided consistent with K.C.C. 21A.14.190;

2. For developments of five to twenty-five dwelling units, one of the following recreation facilities shall be provided in addition to the tot lot or children's play area:

a. playground equipment;

b. sport court;

c. sport field;

- 1215 d. tennis court; or
- 1216 e. any other recreation facility proposed by the applicant and approved by the
- 1217 director;
- 1218 3. For developments of twenty-six to fifty dwelling units, at least two or more of
- 1219 the recreation facilities listed in subsection E.2. of this section shall be provided in
- 1220 addition to the tot lot or children's play area; and
- 1221 4. For developments of more than fifty dwelling units, one or more of the
- 1222 recreation facilities listed in subsection E.2. of this section shall also be provided for
- 1223 every twenty-five dwelling units in addition to the tot lot or children's play area. If
- 1224 calculations result in a fraction, the fraction shall be rounded to the nearest whole number
- 1225 as follows:
- 1226 a. Fractions of 0.50 or above shall be rounded up; and
- 1227 b. Fractions below 0.50 shall be rounded down.
- 1228 F. In subdivisions, recreation areas that are contained within the on-site
- 1229 stormwater tracts, but are located outside of the one hundred year design water surface,
- 1230 may be credited for up to fifty percent of the required square footage of the on-site
- 1231 recreation space requirement on a foot-per-foot basis, subject to the following criteria:
- 1232 1. The stormwater tract and any on-site recreation tract shall be contiguously
- 1233 located. At final plat recording, contiguous stormwater and recreation tracts shall be
- 1234 recorded as one tract and dedicated to the homeowner's association or other organization
- 1235 as approved by the director;
- 1236 2. The drainage facility shall be constructed to meet the following conditions:

1237 a. The side slope of the drainage facility shall not exceed thirty-three percent
1238 unless slopes are existing, natural and covered with vegetation;

1239 b. A bypass system or an emergency overflow pathway shall be designed to
1240 handle flow exceeding the facility design and located so that it does not pass through
1241 active recreation areas or present a safety hazard;

1242 c. The drainage facility shall be landscaped and developed for passive
1243 recreation opportunities such as trails, picnic areas and aesthetic viewing; and

1244 d. The drainage facility shall be designed so they do not require fencing under
1245 the King County Surface Water Design Manual.

1246 G. When the tract is a joint use tract for a drainage facility and recreation space,
1247 King County is responsible for maintenance of the drainage facility only and requires a
1248 drainage easement for that purpose.

1249 H. A recreation space plan shall be submitted to the department and reviewed and
1250 approved with engineering plans.

1251 1. The recreation space plans shall address all portions of the site that will be
1252 used to meet recreation space requirements of this section, including drainage facility.
1253 The plans shall show dimensions, finished grade, equipment, landscaping and
1254 improvements, as required by the director, to demonstrate that the requirements of the on-
1255 site recreation space in K.C.C. 21A.14.180 and play areas in K.C.C. 21A.14.190 have
1256 been met.

1257 2. If engineering plans indicate that the on-site drainage facility or stormwater
1258 tract must be increased in size from that shown in preliminary approvals, the recreation

plans must show how the required minimum recreation space under K.C.C.
21A.14.180.A. will be met.

SECTION 18. Ordinance 10870, Section 536, as amended, and K.C.C.
21A.30.080 are each hereby amended to read as follows:

Home occupation. Residents of a dwelling unit may conduct one or more home
occupations as accessory activities, (~~only if~~) as follows:

A. The total area devoted to all home occupation or occupations shall not exceed
twenty percent of the floor area of the dwelling unit. Areas with attached garages and
storage buildings shall not be considered part of the dwelling unit for purposes of
calculating allowable home occupation area but may be used for storage of goods
associated with the home occupation;

B. In urban residential zones, all the activities of the home occupation or
occupations shall be conducted indoors, except for those related to growing or storing of
plants used by the home occupation or occupations;

C. In A, F and RA zones:

1. The total indoor area of a home occupation shall not exceed twenty percent of
the floor area of the dwelling unit. Areas with attached garages and storage buildings shall
not be considered part of the dwelling unit for purposes of calculating allowable home
occupation area but may be used for storage of goods associated with the home
occupation(~~(-)~~);

2. Total outdoor area of (~~(a)~~) the home occupation shall not exceed one percent of
the size of the lot up to a maximum of five thousand square feet(~~(-)~~); and

3. Outdoor storage and parking shall have ten-foot wide Type II landscaping.

- 1282 D. No more than one nonresident who comes to the site of the home occupation
1283 shall be employed by the home occupation or occupations;
- 1284 E. The following activities are prohibited in urban residential zones only:
- 1285 1. Automobile, truck and heavy equipment repair;
- 1286 2. Autobody work or painting;
- 1287 3. Parking and storage of heavy equipment; and
- 1288 4. Storage of building materials for use on other properties;
- 1289 F. In addition to required parking for the dwelling unit, on-site parking is provided
1290 as follows:
- 1291 1. One stall for a nonresident employed by the home occupation; and
- 1292 2. One stall for patrons when services are rendered on-site;
- 1293 G. Sales are limited to:
- 1294 1. Mail order sales; and
- 1295 2. Telephone sales with off-site delivery;
- 1296 H. Services to patrons are arranged by appointment or provided off-site;
- 1297 I. The home occupation or occupations use or store a vehicle for pickup of
1298 materials used by the home occupation or occupations or the distribution of products from
1299 the site, only if:
- 1300 1. No more than one such a vehicle is allowed;
- 1301 2. The vehicle does not park within any required setback areas of the lot or on
1302 adjacent streets; and

3. The vehicle does not exceed a weight capacity of one ton, except in the A, F and RA zones on lots at least five acres in size, where it is only if the vehicle does not exceed a weight capacity of two and one-half tons; and

J. The home occupation or occupations do not use electrical or mechanical equipment that results in:

1. A change to the occupancy type of the structure or structures used for the home occupation or occupations;

2. Visual or audible interference in radio or television receivers, or electronic equipment located off-premises; or

3. Fluctuations in line voltage off-premises;

K. Uses not allowed as home occupations may be allowed as a home industry under K.C.C. chapter 21A.30.

SECTION 19. Ordinance 10870, Section 537, and K.C.C. 21A.30.090 are each hereby amended to read as follows:

Home industry. A resident may establish a home industry as an accessory activity, ~~((provided))~~ as follows:

A. The site area ~~((shall be no less than))~~ is one acre or greater;

B. The area of the home industry ~~((shall))~~ does not exceed ((50)) fifty percent of the floor area of the dwelling unit. Areas within attached garages and storage buildings shall not be considered part of the dwelling unit for purposes of calculating allowable home industry area but may be used for storage of goods associated with the home ~~((occupation))~~ industry;

1325 C. No more than four non-residents who come to the site of the home industry
1326 ~~((shall be))~~ are employed in ~~((a))~~ the home industry;

1327 D. In addition to required parking for the dwelling unit, on-site parking ~~((shall be))~~
1328 is provided as follows:

- 1329 1. One stall for each non-resident employee of the home industry; and
1330 2. One stall for customer parking;

1331 E. Additional customer parking shall be calculated for areas devoted to the home
1332 industry at the rate of one stall per:

- 1333 1. ~~((1,000))~~ One thousand square feet of building floor area; and
1334 2. ~~((2,000))~~ Two thousand square feet of outdoor work or storage area;

1335 F. Sales ~~((shall be))~~ are limited to items produced on-site, except for items
1336 collected, traded and occasionally sold by hobbyists, such as coins, stamps, and antiques;

1337 G. Ten feet of Type I landscaping ~~((shall be))~~ are provided around portions of
1338 parking and outside storage areas ~~((which))~~ that are otherwise visible from adjacent
1339 properties or public rights-of-way; and

1340 H. The ~~((zoning adjuster shall))~~ department ensures compatibility of the home
1341 industry by:

- 1342 1. Limiting the type and size of equipment used by the home industry to those
1343 ~~((which))~~ that are compatible with the surrounding neighborhood;

1344 2. Providing for setbacks or screening as needed to protect adjacent residential
1345 properties;

1346 3. Specifying hours of operation;

1347 4. Determining acceptable levels of outdoor lighting; and

1348 5. Requiring sound level tests for activities determined to produce sound levels
1349 ~~((which))~~ that may be in excess of those ~~((set forth))~~ in K.C.C. chapter 12.88.

1350 SECTION 20. Ordinance 13130, Section 4, and K.C.C. 21A.32.055 are each
1351 hereby amended to read as follows:

1352 **Nonconformance – ~~((M))~~modifications to nonconforming use, structure~~((s))~~ or**
1353 **site improvement.** Modifications to a nonconforming use, structure~~((s))~~ or site
1354 improvement may be reviewed and approved by the department pursuant to the code
1355 compliance review process of K.C.C. ~~((21A.42.010))~~ 21A.42.030, provided that:

1356 A. The modification does not expand any existing nonconformance; and

1357 B. The modification does not create a new type of nonconformance.

1358 SECTION 21. Ordinance 13130, Section 5, and K.C.C. 21A.32.065 are each
1359 hereby amended to read as follows:

1360 **Nonconformance – ~~((E))~~expansions of nonconforming uses, structures, or site**
1361 **improvements.** A nonconforming use, structure, or site improvement may be expanded
1362 as follows:

1363 A. The department may review and approve, pursuant to the code compliance
1364 process of K.C.C. ~~((21A.42.010))~~ 21A.42.030, an expansion of a nonconformance
1365 ~~((provided that))~~ only if:

1366 1. The expansion ~~((shall))~~ conforms to all other provisions of this title, except
1367 that the extent of the project-wide nonconformance in each of the following may be
1368 increased up to 10 percent:

1369 a. building square footage,

1370 b. impervious surface,

c. parking, or

d. building height((-)); and

2. No subsequent expansion of the same nonconformance shall be approved under this subsection if the cumulative amount of such expansion exceeds the percentage prescribed in subsection A.1((-));

B. A special use permit shall be required for expansions of a nonconformance within a development authorized by an existing special use or unclassified use permit if the expansions are not consistent with ~~((the provisions of))~~ subsection A. of this section;

C. A conditional use permit shall be required for expansions of a nonconformance:

1. Within a development authorized by an existing planned unit development approval((-)); or

2. Not consistent with the provisions of subsections A and B of this section((-); and

D. No expansion shall be approved that would allow for urban growth outside the urban growth area, in conflict with King County Comprehensive Plan rural and natural resource policies and constitute impermissible urban growth outside an urban growth area.

SECTION 22. Ordinance 13274, Section 5, as amended, and K.C.C. 21A.37.030 are each hereby amended to read as follows:

Transfer of development rights (TDR) program - receiving sites.

A. Receiving sites shall be:

1. King County unincorporated urban sites, except as limited in subsection D. of this section, zoned R-4 through R-48, NB, CB, RB or O, or any combination thereof.

The sites may also be within potential annexation areas established under the countywide planning policies; or

2. Cities where new growth is or will be encouraged under the Growth Management Act and the countywide planning policies and where facilities and services exist or where public investments in facilities and services will be made, or

3. RA-2.5 zoned parcels, except as limited in subsection E. of this section, that meet the criteria listed in this subsection A.3. may receive development rights transferred from rural forest focus areas, and accordingly may be subdivided and developed at a maximum density of one dwelling per two and one-half acres. Increased density allowed through the designation of rural receiving areas:

a. must be eligible to be served by domestic Group A public water service;

b. must be located within one-quarter mile of an existing predominant pattern of rural lots smaller than five acres in size;

c. must not adversely impact regionally or locally significant resource areas or ~~((environmentally sensitive))~~ critical areas;

d. must not require public services and facilities to be extended to create or encourage a new pattern of smaller lots;

e. must not be located within rural forest focus areas; and

f. must not be located on Vashon Island or Maury Island.

B. Except as provided in this chapter, development of an unincorporated King County receiving site shall remain subject to all zoning code provisions for the base zone,

except TDR receiving site developments shall comply with dimensional standards of the zone with a base density most closely comparable to the total approved density of the TDR receiving site development.

C. An unincorporated King County receiving site may accept development rights from one or more sending sites, up to the maximum density permitted under K.C.C. 21A.12.030 and 21A.12.040.

D. Property located within the outer boundaries of the Noise Remedy Areas as identified by the Seattle-Tacoma International Airport may not accept development rights.

E. Property located on Vashon Island or Maury Island may not accept development rights.

SECTION 23. Ordinance 10870, Section 579, as amended, and K.C.C. 21A.38.060 are each hereby amended to read as follows:

Special district overlay – ~~((O))~~office/research park development.

A. The purpose of the office/research park special district overlay is to establish an area for development to occur in a campus setting with integrated building designs, flexible grouping of commercial and industrial uses, generous landscaping and buffering treatment, and coordinated auto and pedestrian circulation plans. Office/research park districts shall only be established in areas designated within a community plan and zoned RB, O or I zones. Permitted uses shall include all uses permitted in the RB, O and I zones, as set forth in K.C.C. chapter 21A.08, regardless of the classification used as the underlying zone on a particular parcel of land.

- 1438 B. The following development standards shall apply to uses locating in
1439 office/research park overlay districts:
- 1440 1. All uses shall be conducted inside an entirely enclosed building;
- 1441 2. An internal circulation plan shall be developed to facilitate pedestrian and
1442 vehicular traffic flow between major project phases and individual developments;
- 1443 3. The standards ((~~set forth~~)) in this section shall be applied to the development as
1444 a unified site, notwithstanding any division of the
1445 development site under a binding site plan or subdivision;
- 1446 4. All buildings shall maintain a 50-foot setback from perimeter streets and from
1447 residential zoned areas;
- 1448 5. The total permitted impervious lot coverage shall be 80 percent. The remaining
1449 20 percent shall be devoted to open space. Open space may include all required
1450 landscaping, and any unbuildable ((~~environmentally sensitive~~)) critical areas and their
1451 associated buffers;
- 1452 6. The landscaping standards ((~~set forth~~)) in K.C.C. chapter 21A.16 are modified
1453 as follows:
- 1454 a. 20-foot wide Type II landscaping shall be provided along exterior streets, and
1455 20-foot wide Type III landscaping shall be provided along interior streets;
- 1456 b. 20-foot wide Type I landscaping shall be provided along property lines
1457 adjacent to residential zoned areas;
- 1458 c. 15-foot wide Type II landscaping shall be provided along lines adjacent to
1459 nonresidential zoned areas; and

d. Type IV landscaping shall be provided within all surface parking lots as follows:

(1) Fifteen percent of the parking area, excluding required perimeter landscaping, shall be landscaped in parking lots with more than 30 parking stalls;

(2) At least one tree for every four parking stalls shall be provided, to be reasonably distributed throughout the parking lot; and

(3) No parking stall shall be more than 40 feet from some landscaping;

e. An inventory of existing site vegetation shall be conducted pursuant to the procedures ~~((set forth))~~ in K.C.C. chapter 21A.16, and

f. An overall landscaping plan ~~((which))~~ that conforms to the requirements of this subsection shall be submitted for the entire district or each major development phase prior to the issuance of any site development, grading~~((;))~~ or building permits;

7. Lighting within an office/industrial park shall shield the light source from the direct view of surrounding residential areas;

8. Refuse collection/recycling areas and loading or delivery areas shall be located at least ~~((100))~~ one hundred feet from residential areas and screened with a solid view obscuring barrier;

9. Off street parking standards as ~~((set forth))~~ in K.C.C. ~~((€))~~chapter 21A.18 are modified as follows:

a. one space for every ~~((300))~~ three hundred square feet of floor area shall be provided for all uses, except on-site daycare, exercise facilities, eating areas for employees, archive space for tenants~~((;))~~ and retail/service uses;

b. parking for on-site daycare, exercise facilities, eating areas for employees, archive space for tenants, and retail/service uses shall be no less than one space for every ~~((1000))~~ one thousand square feet of floor area and no greater than one space for every ~~((500))~~ five hundred square feet of floor area; and

c. at least ~~((25))~~ twenty-five percent of required parking shall be located in a parking structure; and

10. Sign standards ~~((as set forth))~~ in K.C.C. ((C)) chapter 21A.20 are modified as follows:

a. Signs visible from the exterior of the park shall be limited to one monument office/research park identification sign at each entrance. ~~((Such))~~ The signs shall not exceed an area of ~~((64))~~ sixty-four square feet per sign;

b. no pole signs shall be permitted; and

c. all other signs shall be visible only from within the park.

SECTION 24. Ordinance 12823, Section 16, and K.C.C. 21A.38.210 are each hereby amended to read as follows:

Special district overlay – ~~((H))~~heron habitat protection area.

A. The purpose of the heron habitat protection area special district overlay is to provide a means to designate areas that provide essential feeding, nesting and roosting habitat for identified great blue heron rookeries. A district overlay will usually contain several isolated areas of known heron habitat in the general region surrounding the heron rookery.

B. The following development standards shall be applied in addition to all applicable requirements of K.C.C. chapter 21A.24 and Title 25 to development proposals located within a heron habitat protection area district overlay:

1. The following conditions shall apply to the wetland or along the main channel of the stream riparian zone containing the heron rookery (tributary streams are excluded):

a. The ~~((100))~~ one-hundred-year floodplain shall be left undisturbed. Development proposals on individual lots shall require the ~~((100))~~ one-hundred-year floodplain to retain the native vegetation and be placed in a county-approved conservation easement or notice shall be placed on the title of the lot. The notice shall be approved by King County and filed with the records ~~((and))~~, elections and licensing services division. The notice shall inform the public of the presence and location of the floodplain and heron habitat on the property and that limitations on actions in or affecting the area exist. Subdivisions, short subdivisions and binding site plans shall require the ~~((100))~~ one-hundred-year floodplain to retain the native vegetation and be placed in a ~~((sensitive))~~ critical areas tract, to be dedicated to the homeowner's association or other legal entity ~~((which))~~ that assumes maintenance and protection of the tract. Determination of the floodplain shall be done for each permit application based on actual field survey using county-approved floodplain elevations;

b. There shall be a ~~((660))~~ six-hundred-sixty-foot radius buffer maintained around the periphery of the great blue heron rookery. If the ~~((sensitive))~~ critical areas and buffers are not adequate to provide the radius, then the buffer shall be expanded to meet the requirement. A rookery and its buffer shall be designated as ~~((sensitive))~~ critical area tract, easement or noticed on title as required in this subsection; and

c. All access shall be restricted under nest trees from February 15~~((th))~~ to July 31~~((st))~~ and noted on signage at the floodplain or buffer edge, whichever is further from the rookery. Access may be further restricted with fencing or dense plantings with native plant material approved by the county. All developments in R-12 or higher density zones shall restrict access and provide an interpretive sign that provides information about the stream or wetland and its wildlife, biological, and hydrological functions. All signs shall be consistent with ~~((sensitive))~~ critical area signage requirements and subject to review and approval of the county;

2. Subdivisions, short subdivisions, binding site plans, site development permits or other commercial or multifamily permits adjacent to stream reaches and wetlands designated on the heron habitat protection area district overlay map, shall provide buffers that are 50 feet greater than required pursuant to K.C.C. chapter 21A.24 along those streams and wetlands to provide habitat for herons. This additional ~~((50))~~ fifty-foot buffer shall be planted with dense native plant material to discourage human intrusion into feeding or nesting and roosting areas. Plantings shall be reviewed and approved by the department. If conformance with the additional buffer requirement results in an unbuildable lot, then the minimum variation necessary to accommodate the proposed development shall be determined in consultation with county biologists and be reviewed and approved by the department;

3. Along the shoreline of lakes and river corridors included in the heron habitat protection area, all subdivisions, short subdivisions, binding site plans, site development permits or other commercial or multifamily permits shall provide a ~~((50))~~ fifty-foot buffer in addition to required shoreline setbacks of K.C.C. Title 25 and chapter 21A.24. Along

the shoreline of the major rivers (Sammamish, Green, Cedar, Snoqualmie, Snohomish, Skykomish and White ~~((R))~~ rivers), the setback requirement may be waived if a special wildlife study shows no great blue heron nesting, roosting~~((;))~~ and feeding areas on the site. These studies shall be done by a wildlife biologist and approved by county biologists. This additional ~~((50))~~ fifty-foot buffer shall be planted with dense native plant material to discourage human intrusion into feeding or nesting and roosting areas. Plantings shall be reviewed and approved by the department; and

4. New docks, piers, bulkheads~~((;))~~ and boat ramps constructed within the heron habitat protection area shall mitigate for loss of heron feeding habitat by providing enhanced native vegetation approved by the county adjacent to the development or between the development and the shoreline. Bulkheads shall be buffered from the water's edge by enhanced plantings of native vegetation approved by the county.

SECTION 25. Ordinance 12823, Section 19, and K.C.C. 21A.38.240 are each hereby amended to read as follows:

Special district overlay – ~~((F))~~floodplain ~~((D))~~density.

A. The purpose of the floodplain density special district overlay is to provide a means to designate areas that cannot accommodate additional density due to severe flooding problems. This district overlay limits development in ~~((sensitive))~~ critical areas to reduce potential future flooding.

B. The following development standards shall be applied to all development proposals on RA-5 zoned parcels located within a floodplain density special district overlay:

1571 1. Density is limited to one home per ((10)) ten acres for any property that is
1572 located within a ((sensitive)) critical area; and

1573 2. All development shall be clustered outside of the identified ((sensitive)) critical
1574 areas, unless the entire parcel is a mapped ((sensitive)) critical area.

1575 SECTION 26. Ordinance 10870, Section 583, as amended, and K.C.C.
1576 21A.39.020 are each hereby amended to read as follows:

1577 **UPD permit – ((A))application((/)) and review process.**

1578 A. King County shall accept an application for an UPD permit only in areas
1579 designated urban by the comprehensive plan and contained within the boundaries of UPD
1580 Special District Overlays designated by a community plan or comprehensive plan,
1581 provided that density transfer from adjacent rural lands is allowed as provided for in
1582 K.C.C. chapter 21A.36.

1583 B. A UPD permit application, or modifications of an approved UPD permit
1584 ((which)) that requires council review, shall be reviewed pursuant to the hearing examiner
1585 process outlined in K.C.C. chapter 21A.42, provided that:

1586 1. The review of the UPD permit application shall not be completed until
1587 applicable sewer and/or water comprehensive utility plans or plan amendments are
1588 identified;

1589 2. A UPD permit may be processed concurrently with any application for a
1590 subsequent development approval implementing the UPD permit.

1591 C. A processing memorandum of understanding (MOU) shall be adopted
1592 containing any of the following elements:

- 1593 1. Schedule for processing including timelines for EIS, drainage master plan,
1594 UPD permit hearings, plats or other permits or approvals;
- 1595 2. Budget for permit processing and review;
- 1596 3. Establishment of a core UPD review team with one representative from each
1597 county department having a principal UPD permit review role. The department responsible
1598 for coordinating review of the UPD shall enter into memorandums of understanding with
1599 other county departments specifying special tasks and timetables consistent with the
1600 schedule for performance by each department and/or independent consulting;
- 1601 4. Retention of a third-party facilitator at the applicant's cost to assist the county's
1602 review;
- 1603 5. Establishment of baseline monitoring requirements and design parameters
1604 ((which)) that are to apply under existing law during the UPD application and review
1605 process;
- 1606 6. Final scope for EIS, ((which)) that shall be adjusted for adopted county
1607 substantive environmental or mitigation requirements ((which)) that will apply to the UPD
1608 permit such as ((the sensitive area ordinance)) K.C.C. chapter 21A.24, the SWM Manual,
1609 road and school adequacy standards, impact fee or mitigation programs or other adopted
1610 standards.
- 1611 D. The processing MOU shall be completed initially within ((90)) ninety days after
1612 the request by a UPD permit applicant, unless the county and applicant agree to a different
1613 time. If the county and applicant have not reached agreement within ((90)) ninety days,
1614 then either may request final resolution of the processing MOU by a committee consisting

of the directors of the departments of (~~(transportation)~~) transportation, development and environmental services(~~(;)~~) and natural resources and parks;

E. (~~(UPD Application Form.)~~) The county shall prepare (~~(an)~~) a UPD application form consistent with the information required under K.C.C. 21A.39.030, (~~(which)~~) that shall take into account that detailed information (~~(which)~~) that may not be available at the time of the application will be developed through the environmental impact statement and review process.

SECTION 27. Ordinance 10870, Section 584, as amended, and K.C.C. 21A.39.030 are each hereby amended to read as follows:

UPD permit – (~~(€)~~)conditions of approval.

A. In approving a UPD permit, conditions of approval shall at a minimum establish:

1. A site plan for the entire UPD showing locations of (~~(sensitive)~~) critical areas and buffers, required open spaces, UPD perimeter buffers, location and range of densities for residential development(~~(;)~~) and location and size of (~~(non-residential)~~) nonresidential development;

2. The expected buildout time period for the entire project and the various phases;

3. Project phasing and other project-specific conditions to mitigate impacts on the environment, on public facilities and services including transportation, utilities, drainage, police and fire protection, schools(~~(;)~~) and parks;

4. Affordable housing requirements;

1637 5. Road and storm water design standards that shall apply to the various phases of
1638 the project;

1639 6. Bulk design and dimensional standards that shall be implemented throughout
1640 subsequent development within the UPD;

1641 7. The size and range of uses authorized for any (~~(non-residential)~~) nonresidential
1642 development within the UPD;

1643 8. The minimum and maximum number of residential units for the UPD; and

1644 9. Any or both sewer and(~~(/or/))~~ water comprehensive utility plans or amendments
1645 required to be completed before development can occur; and

1646 10. Provisions for the applicant's surrender of an approved UPD permit before
1647 commencement of construction or cessation of UPD development based upon causes
1648 beyond the applicant's control or other circumstances, with the property to develop
1649 thereafter under the base zoning in effect prior to the UPD permit approval.

1650 B. A UPD permit and development agreement may allow development standards
1651 different from those otherwise imposed under the King County Code, including, but not
1652 limited to, K.C.C. 21A.39.050 (~~(through 120)~~), 21A.39.060, 21A.39.070, 21A.39.080,
1653 21A.39.090, 21A.39.100, 21A.39.110 and 21A.39.120, in order to provide flexibility to
1654 achieve public benefits, respond to changing community needs, and encourage
1655 modifications (~~(which)~~) that provide the functional equivalent or adequately achieve the
1656 purposes of county standards. Any approved development standards that differ from those
1657 in the King County Code shall not require any further zoning reclassification, variance
1658 from King County standards or other county approval apart from the UPD permit approval.
1659 The development standards as approved through the UPD permit and development

1660 agreement shall apply to and govern the development and implementation of each UPD site
1661 in lieu of any conflicting or different standards or requirements elsewhere in the King
1662 County Code.

1663 C. Subsequently adopted standards (~~((which))~~) that differ from those of the UPD
1664 permit shall apply to the UPD only where necessary to address imminent public health and
1665 safety hazards or where the UPD permit specifies a time period or phase after which certain
1666 identified standards can be modified. Determination of the appropriate standards for future
1667 phases (~~((which))~~) that are not fully defined during the initial approval process may be
1668 postponed. Building permit applications shall be subject to the building codes in effect
1669 when the permit is applied for.

1670 D. An approved UPD permit, including site plan elements or conditions of
1671 approval, may be amended or modified at the request of the applicant or the applicant's
1672 successor in interest designated by the applicant in writing. The director may
1673 administratively approve minor modifications to an approved UPD permit. Modifications
1674 that do not qualify as minor shall be deemed major modifications and shall be reviewed in
1675 the same manner as that (~~((set forth))~~) in (~~((Section))~~) K.C.C. 21A.39.020 for new UPD permit
1676 applications. Any increase in the total number of dwelling units in a UPD above the
1677 maximum number (~~((set forth))~~) in the approved UPD permit, or any decrease in the
1678 minimum density for residential areas of the UPD (exclusive of roads and (~~((sensitive))~~)
1679 critical areas), shall be deemed major modifications. The county through the development
1680 agreement for an approved UPD may specify additional criteria for determining whether
1681 proposed modifications are major or minor.

E. Unless otherwise provided for through the UPD permit approval, and subject to any appropriate credits for fees paid or facilities provided by the UPD, applicable impact fee payment requirements shall be those ~~((which))~~ that are in effect when subsequent implementing approvals such as subdivision applications, binding site plans, building permits or other approvals are applied for.

SECTION 28. Ordinance 13130, Section 11, and K.C.C. 21A.42.190 are each hereby amended to read as follows:

Modifications and expansions - uses or development authorized by existing conditional use, special use~~((s))~~ or unclassified use permits.

A. The department may review and approve, pursuant to the code compliance process of K.C.C. ~~((21A.42.010))~~ 21A.42.030, an expansion of a use or development authorized by an existing conditional use, special use or unclassified use permit ~~((provided that))~~ as follows:

1. The expansion shall conform to all provisions of this title and the original land use permit, except that the project-wide amount of each of the following may be increased up to ten percent:

- a. building square footage,
- b. impervious surface,
- c. parking, or
- d. building height~~((s))~~;

2. No subsequent expansions shall be approved under this subsection if the cumulative amount of such expansion exceeds the percentage prescribed in subsection A.1. of this section~~((s))~~;

1705 ~~((B-))~~ 3. A conditional use permit shall be required for expansions within a use or
1706 development authorized by an existing conditional use permit if the expansions are not
1707 consistent with the provisions of this subsection ~~((A-))~~; and

1708 ~~((C-))~~ 4. A special use permit shall be required for expansions within a use or
1709 development authorized by an existing special use or unclassified use permit, if the
1710 expansions to either permit are not consistent with the provisions of this subsection ~~((A))~~.

1711 B. The department may review and approve, in accordance with the code
1712 compliance process of K.C.C. 21A.42.030, a modification of a use or a development
1713 authorized by an existing conditional use, special use or unclassified use permit that does
1714 not make a substantial change, as determined by the department, to the of substantial
1715 change to the conditional use, special use or unclassified use. For the purposes of this
1716 subsection, a "substantial change" includes, but is not limited to, a change to the conditions
1717 of approval or the creation of a new use.

1718 ~~((D-))~~ C. This section shall not apply to modifications or expansions of
1719 telecommunication facilities, the provision for which are ~~((set forth))~~ in K.C.C. 21A.26.140
1720 or to modifications or expansions of nonconformances, the provisions for which are ~~((set~~
1721 ~~forth))~~ in K.C.C. 21A.32.065.

1722 SECTION 29. Ordinance 13275, Section 1, as amended, and K.C.C. 21A.55.050
1723 are each hereby amended to read as follows:

1724 **Demonstration project overlay - rural forest demonstration project.**

1725 A. The purpose of the rural forest demonstration project is to test techniques to
1726 maintain long-term forest uses in areas with a predominant parcel size of significantly
1727 less than eighty acres ~~((which))~~ that are located in proximity to residential development.

The demonstration project will also provide information and data to assist in the development of King County Comprehensive Plan policies to guide application and refinement of forest protection regulations.

B. ~~((Rural Forest demonstration project—designation of project area--))~~ The rural forest demonstration project will be implemented on the five-hundred-ten-acre site located east of the Rattlesnake Mountain Scenic Area, as shown in ~~((a))~~Attachment A ~~((ef))~~ to Ordinance 13275.

C. ~~((Scope of demonstration project--))~~ The rural forest demonstration project shall include:

1. Preparation of a forest management plan for the entire demonstration project site. The forest management plan shall be developed jointly by the department of natural resources and parks and the property owner with input from the Washington state Department of Natural Resources, local tribes and citizens, and shall be approved by the director of the department of natural resources and parks. The forest management plan shall include:

a. an inventory of existing conditions ~~((--))~~, including current tree species and respective size ranges, understory composition, ~~((sensitive))~~ critical areas, natural and human induced disturbance regimes and history of ecosystem changes~~((--))~~;

b. objectives for forest management including water quality protection, habitat enhancement, maintenance of scenic areas, surface water management and minimal impacts to neighbors~~((--))~~;

1749 c. a reforestation element consistent with these management objectives
1750 including establishment of stream buffers of one hundred eighty-three feet for Class II
1751 streams with salmonids and one hundred feet for Class III streams~~((-))~~; and
1752 d. an operation and maintenance element including anticipated harvest
1753 activities~~((-))~~;
1754 2. Creation of a dedicated fund of the Uplands Snoqualmie Valley Homeowners
1755 Association the proceeds of which may be expended solely to implement and monitor the
1756 forest management plan. The net proceeds of any harvest of forest products from the
1757 common tracts of the Uplands Snoqualmie Valley shall be deposited in such fund to the
1758 extent necessary to bring the aggregate amount of money in such fund to an amount
1759 reasonably anticipated to be needed to pay the cost of implementing and monitoring the
1760 forest management plan for the current and next two calendar years~~((-))~~;
1761 3. Creation of a Stewardship Committee of the Uplands Snoqualmie Valley
1762 Homeowners Association to implement the forest management plan. The
1763 ~~((S))~~stewardship ~~((C))~~committee shall, in consultation with King County and Washington
1764 state Department of Natural Resources: ensure sufficient funding is available for
1765 implementation of the forest management plan, hire a qualified forester or foresters to
1766 implement the forest management plan and hire qualified staff to monitor implementation
1767 of the forest management plan and prepare required reports. King County and the
1768 Washington state Department of Natural Resources shall annually inspect the property
1769 for compliance with the forest management plan consistent with the terms of the
1770 conservation easement and King County shall offer training to the members of the
1771 ~~((S))~~stewardship ~~((C))~~committee on forestry techniques and issues~~((-))~~;

1772 4. Application and review of a formal subdivision of forty-one lots, exclusive of
1773 common tracts, on the five hundred-ten-acre site. The subdivision and infrastructure
1774 shall be designed to integrate with the forest landscape, including pavement widths no
1775 wider than needed to meet safety considerations. A goal of the demonstration project is to
1776 test the marketability of these forest lots in a timely manner; to that end, it is a goal of
1777 King County to render a decision on the subdivision application within six months of
1778 submittal of the application. A priority review process shall be implemented as permitted
1779 by K.C.C. 21A.55.010. The department of development and environmental services shall
1780 assign a permit coordinator and a project review team to complete review of all aspects of
1781 the application, and shall negotiate appropriate fees for the review process with the
1782 applicant. Neither the designation of the site as a demonstration project nor approval of
1783 the forest management plan constitute approval of the subdivision application or in any
1784 way limit King County discretion in SEPA review or application of regulations to the
1785 subdivision application((-));

1786 5. Dedication or conveyance, upon final plat approval, to King County or a
1787 qualified nonprofit conservation organization of a conservation easement in perpetuity
1788 upon the demonstration project site that_ prohibits any future subdivision activity;
1789 prohibits all development of the site other than residential development of no more than
1790 forty-one lots; restricts such residential development and associated lawn, landscaped
1791 areas, driveways and fenced areas to an area not to exceed two acres within each lot;
1792 restricts the uses of the remaining nonresidential portion of the site to open space and
1793 forest practices and incidental uses necessary for the residential use on the forty-one lots
1794 such as for roads, access drives (not including on-site driveways) utilities and storm

detention; provides for the dedicated fund as described in K.C.C. 21A.55.050C.2; requires the owner to exercise its reasonable best efforts to implement the forest management plan; and provides for enforcement of the terms of the conservation easement first through nonbinding mediation. Adoption of this demonstration project shall be subject to council review of the conservation easement, a copy of which shall be provided to the council by August 20, 1998((-)); and

6. An inventory of properties within King County with similar characteristics to the rural forest demonstration project site and an analysis of the potential effects of development of those properties under the same requirements as the demonstration project.

D. ~~((Scope of authority to modify or waive standards.))~~ Application to modify or waive development standards of K.C.C. Title 21A for this individual development proposal shall be administratively approved by the director of the department of development and environmental services and shall be consistent with an approved forest management plan developed for the entire five-hundred-ten acre site.

E. The application to modify or waive development standards for this development proposal shall be evaluated on the merits of the specific proposal. Approval or denial of a proposed modification or waiver shall not be construed as precedent setting for elsewhere in the county.

F. Modification or waivers approved pursuant to the rural forest demonstration project shall be in addition to those modifications or waivers ~~((which))~~ that are currently allowed by K.C.C. Title 21A. The range of proposed modifications to development

1817 regulations that may be considered pursuant to the rural forest demonstration project shall
1818 only include the following zoning code regulations:

1819 1. Development Standards - Landscaping and Water Use, K.C.C. chapter
1820 21A.16, limited to the following ~~((subsections))~~ sections:

- 1821 a. landscaping - street frontages, K.C.C. 21A.16.050;
1822 b. landscaping - interior lot lines, K.C.C. 21A.16.060; and
1823 c. landscaping - additional standards for required landscape areas, K.C.C.
1824 21A.16.090.

1825 2. Development Standards - Parking and Circulation, K.C.C. chapter 21A.18,
1826 limited to the following ~~((subsections))~~ sections:

- 1827 a. pedestrian and bicycle circulation and access, K.C.C. 21A.18.100; and
1828 b. off-street parking plan design standards, K.C.C. 21A.18.110.

1829 G. The ~~((M))~~modification or waiver review process is as follows:

1830 1. Requests for modifications or waivers may only be submitted in relation to a
1831 formal subdivision proposal~~((:))~~;

1832 2. Requests shall be:

1833 a. submitted to the department of development and environmental services
1834 prior to or in conjunction with the subdivision application for preliminary approval of a
1835 formal subdivision on the project site; and

1836 b. in writing, along with any supporting documentation. The supporting
1837 documentation must illustrate how the proposed modification meets the criteria of K.C.C.
1838 21A.55.050~~H((-))~~;

1839 3. Notice of application, review and approval of proposed modifications or
1840 waivers submitted in conjunction with a formal subdivision application shall be treated as
1841 a Type 2 land use decision. In approving a proposed modification or waiver, the director
1842 must conclude that the criteria for approval (~~((set forth))~~) in K.C.C. 21A.55.050H have
1843 been met(~~((:))~~);

1844 4. A preapplication meeting to determine the need for, and the likely scope of, a
1845 proposed modification(~~((s))~~) or modifications or waiver(~~((s))~~) or waivers shall be
1846 required prior to submittal of a modification request(~~((:))~~); and

1847 5. Administrative appeals of director approved modifications or waivers shall be
1848 combined with consideration of the underlying application for preliminary subdivision
1849 approval.

1850 H. (~~((Rural forest demonstration project criteria for modification or waiver~~
1851 ~~approval.))~~) The application for a rural forest demonstration project must, for
1852 modification or waiver approval, demonstrate how the proposed project, with
1853 modifications or waivers to the code, will be consistent with and implement the approved
1854 forest management plan. This shall be demonstrated by documenting that the
1855 development with modifications or waivers:

1856 1. Enhances the preservation of forestry for resource value, open space, scenic
1857 views and wildlife habitat;

1858 2. Reduces impacts on the natural environment or restores natural functions; and

1859 3. Supports the integration of forest uses and homesites.

1860 I. (~~((Rural forest demonstration project—effective period.))~~) The forest
1861 management plan for a rural forest demonstration project shall be developed and a

1862 decision on its approval or denial shall be reached no more than thirty days after
1863 designation of the site as a rural forest demonstration project. If the forest management
1864 plan is not approved thirty days after designation as a rural forest demonstration project,
1865 the executive shall propose restoring the site to its prior land use designations and zoning
1866 classifications as part of the 1999 amendments to the King County Comprehensive Plan.
1867 Regulatory modification or waiver applications authorized by ~~((this or))~~ Ordinance 13275
1868 shall not be accepted by the department of development and environmental services after
1869 March 1, 1999. Modifications or waivers to the King County Code contained within an
1870 approved development proposal shall be valid as long as the underlying permit. The rural
1871 forest demonstration project shall continue for a period of five years from the final
1872 approval of the subdivision application, with reporting periods specific to measuring the
1873 goals of the forest management plan.

1874 J. ~~((Rural forest demonstration project reports.))~~ The director of the department
1875 of natural resources and parks shall submit a report on the rural forest demonstration
1876 project to the council following approval of the forest management plan evaluating the
1877 process used to prepare the forest management plan, an inventory of other properties
1878 ~~((which))~~ that have similar characteristics to the demonstration project site, the
1879 applicability and potential effects of allowing these other properties to develop under the
1880 same requirements as the demonstration project and recommending any changes that
1881 should be made to county policy or regulations to maintain long-term forestry in areas no
1882 longer managed for large-scale commercial forestry. In addition, a report shall be
1883 prepared annually by qualified staff retained by the Stewardship Committee of the
1884 Uplands Snoqualmie Valley Homeowners Association or subsequent management entity

of the forest management plan and submitted to the Rural Forest Commission. The annual reporting shall commence six months following final approval of the subdivision. The first two annual reports shall describe the annual work program and budget for implementation of the forest management plan, progress made in implementing the work program, and success in marketing the homesites. Annual reports for the subsequent three years shall document the annual budget and continued progress in implementing the forest management plan, the level of involvement by homeowners in forest management and any problems in implementation generated by homeowners. The Rural Forest Commission shall review the annual reports and shall inform the director of the department of natural resources and parks if it has found that necessary implementation measures of the forest management plan have not been followed. If so, and if the director of the department of natural resources and parks determines it is necessary, the director shall request the Stewardship Committee of the Uplands Snoqualmie Valley Homeowners Association to take corrective action. If satisfactory action is not taken, the director may invoke the enforcement mechanism of the conservation easement. The annual reports will also provide information for further consideration of changes to county policies or regulations for maintenance of long-term forestry.

SECTION 30. In accordance with K.C.C. 20.44.080, the metropolitan King County council finds that the requirements for environmental analysis, protections and mitigation measures in the sections of K.C.C. Title 21A amended by this ordinance, provide adequate analysis of and mitigation for the specific adverse environmental impacts to which the requirements apply.

SECTION 31. Severability. If any provision of this ordinance or its application to

Ordinance

1908 any person or circumstance is held invalid, the remainder of the ordinance or the
1909 application of the provision to other persons or circumstances shall not be affected.
1910

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

Larry Phillips, Chair

ATTEST:

Anne Noris, Clerk of the Council

APPROVED this ____ day of _____, ____.

Ron Sims, County Executive

Attachments None